

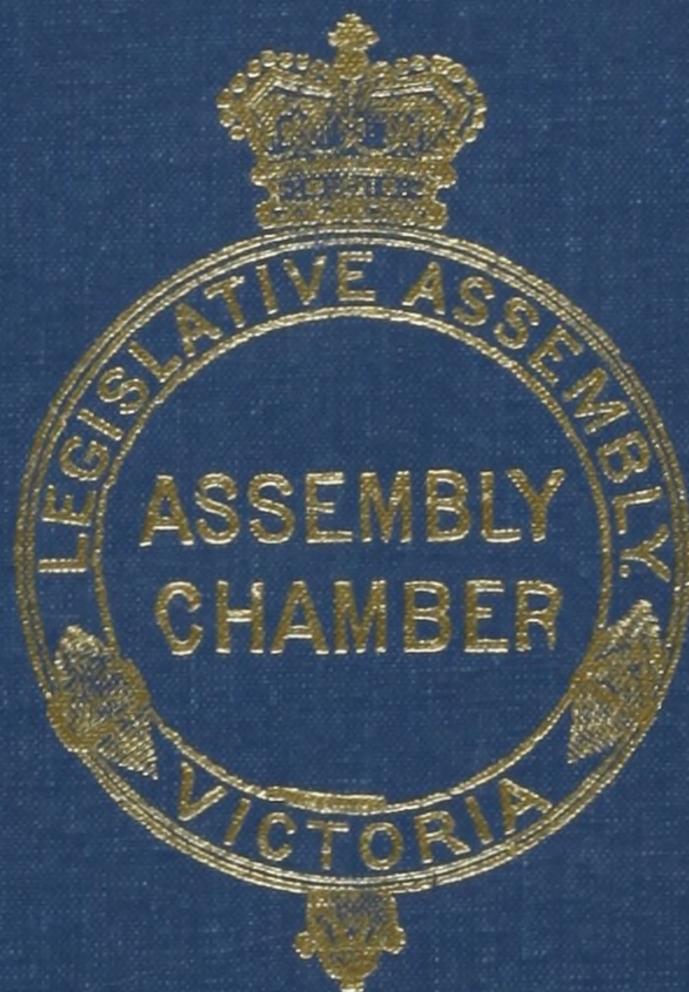
VICTORIA



VOTES  
AND  
PROCEEDINGS  
OF THE  
LEGISLATIVE  
ASSEMBLY

—  
SESSION  
1996-98

—  
VOL 1



ASSEMBLY CHAMBER

**VICTORIA**

**VOTES AND PROCEEDINGS**

**OF THE**

**LEGISLATIVE ASSEMBLY**

**SESSION 1996-98**

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<i>Act No. 65 of 1996</i> <i>Assented to 17 December 1996</i>	
And see "Divisions in House"	

Epworth Hospital (Amendment) Bill - (Dr Napthine)	
First reading	424
Second reading	433
Subsequent proceedings	452, 460-1
Bill ruled a private Bill, treated as a Public Bill, fees dispensed with	460-1
<i>Act No. 97 of 1997</i>	<i>Assented to 16 December 1997</i>
Evidence (Audio Visual and Audio Linking) Bill - (Mrs Wade)	
First reading	198
Second reading	207
Subsequent proceedings	217, 230, 254, 266
<i>Act No. 4 of 1997</i>	<i>Assented to 22 April 1997</i>
Farm Produce Wholesale (Amendment) Bill - (From Council) - (Mr McNamara)	
First reading	105
Second reading	112
Subsequent proceedings	85, 139, 154
<i>Act No. 40 of 1996</i>	<i>Assented to 12 November 1996</i>
Financial Institutions Legislation (Amendment) Bill - (Mrs Wade)	
First reading	352
Second reading	356
Subsequent proceedings	364, 372, 401, 419
<i>Act No. 61 of 1997</i>	<i>Assented to 5 November 1997</i>
Financial Management (Amendment) Bill - (Mr Stockdale)	
First reading	271
Second reading	277
Subsequent proceedings	297, 302, 319, 347
<i>Act No. 42 of 1997</i>	<i>Assented to 11 June 1997</i>
Firearms Bill - (Mr McGrath, Wimmera)	
First reading	137
Second reading	148
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	148
Subsequent proceedings	152, 170, 171, 182, 184, 207, 222
Governor's Message recommending appropriation	154
Absolute majority obtained	171, 182
<i>Act No. 66 of 1996</i>	<i>Assented to 17 December 1996</i>

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<b>Firearms (Prohibited Firearms) Bill - (Mr McGrath, Wimmera)</b>	
First reading	50
Second reading	54
Subsequent proceedings	68, 70, 89, 90
Governor's Message recommending appropriation	58
<i>Act No. 15 of 1996</i> <i>Assented to 2 July 1996</i>	
And see "Divisions in House"	
<b>Fire Authorities (Amendment) Bill - (Mr McGrath, Wimmera)</b>	
First reading	241
Second reading	243
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	243
Subsequent proceedings	243-4, 263, 268-9, 304, 314, 342
Governor's Message recommending appropriation	266
Absolute majority obtained	269
<i>Act No. 24 of 1997</i> <i>Assented to 20 May 1997</i>	
And see "Divisions in House"	
<b>Fisheries (Amendment) Bill - (Mr McNamara)</b>	
First reading	157
Second reading	165
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	165
Subsequent proceedings	188, 204, 205, 221, 222
Governor's Message recommending appropriation	191
Absolute majority obtained	204, 205
<i>Act No. 67 of 1996</i> <i>Assented to 17 December 1996</i>	
<b>Fisheries (Further Amendment) Bill - (Mr McNamara)</b>	
First reading	198
Second reading	206
Subsequent proceedings	217, 229, 230, 238, 254, 266
Governor's Message recommending appropriation	223
Governor's Message recommending further appropriation	230
<i>Act No. 5 of 1997</i> <i>Assented to 22 April 1997</i>	

Food (Amendment) Bill - (Dr Napthine)	
First reading	370
Second reading	385
Subsequent proceedings	395, 425, 430, 456
Governor's Message recommending appropriation	384
<i>Act No. 98 of 1997</i> <i>Assented to 16 December 1997</i>	
Forestry Rights Bill - (Mrs Tehan)	
First reading	72
Second reading	83
Subsequent proceedings	85, 91, 105, 132
<i>Act No. 29 of 1996</i> <i>Assented to 22 October 1996</i>	
Forests (Dunstan Agreement) (Amendment) Bill - (Mr McNamara)	
First reading	351
Second reading	355
Subsequent proceedings	364, 368, 372, 401, 419
<i>Act No. 62 of 1997</i> <i>Assented to 5 November 1997</i>	
Forests (Wood Pulp Agreement) Bill - (Mrs Tehan)	
First reading	50
Second reading	54
Subsequent proceedings	68, 74, 76, 89, 90
Governor's Message recommending appropriation	58
<i>Act No. 16 of 1996</i> <i>Assented to 2 July 1996</i>	
Friendly Societies (Victoria) (Amendment) Bill - (Mrs Wade)	
First reading	271
Second reading	277
Subsequent proceedings	297, 316, 326, 334, 347
Instruction to Committee	314
<i>Act No. 43 of 1997</i> <i>Assented to 11 June 1997</i>	
Friendly Societies (Victoria) Bill - (Mrs Wade)	
First reading	138
Second reading	148
Subsequent proceedings	152, 173-4, 183, 206, 222
Governor's Message recommending appropriation	154
<i>Act No. 83 of 1996</i> <i>Assented to 23 December 1996</i>	
And see "Divisions in House"	

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<b>Gaming Acts (Amendment) Bill - (Mr Stockdale)</b>	
First reading	50
Second reading	59
Subsequent proceedings	68, 80-1, 89, 90
Governor's Message recommending appropriation	58
<i>Act No. 17 of 1996</i> <i>Assented to 2 July 1996</i>	
And see "Divisions in House"	
<b>Gaming Acts (Further Amendment) Bill - (Mr Reynolds)</b>	
First reading	227
Second reading	234
Subsequent proceedings	238, 249, 251-2, 288, 299
Governor's Message recommending appropriation	239
And see "Divisions in House"	
<i>Act No. 15 of 1997</i> <i>Assented to 6 May 1997</i>	
<b>Gaming Acts (Miscellaneous Amendment) Bill - (Mr Reynolds)</b>	
First reading	369
Second reading	374
Subsequent proceedings	395, 420, 430, 435, 456
Governor's Message recommending appropriation	379
<i>Act No. 90 of 1997</i> <i>Assented to 9 December 1997</i>	
And see "Divisions in House"	
<b>Gaming Machine Control (Amendment) Bill - (Mr Kennett)</b>	
First reading	94
Second reading	98
Subsequent proceedings	101, 119, 141, 154
<i>Act No. 41 of 1996</i> <i>Assented to 12 November 1996</i>	
<b>Gaming Machine Control (Community Support Fund) Bill - (Mr Stockdale)</b>	
First reading	50
Second reading	59
Subsequent proceedings	68, 81-2, 89, 90
<i>Act No. 18 of 1996</i> <i>Assented to 2 July 1996</i>	
And see "Divisions in House"	
<b>Gaming No. 2 Bill - (Mr Reynolds)</b>	
First reading	227
Second reading	231
Subsequent proceedings	238, 241, 280, 282, 299
Governor's Message recommending appropriation	239
<i>Act No. 16 of 1997</i> <i>Assented to 6 May 1997</i>	

Gas Industry (Amendment) Bill - (Mr Stockdale)	
First reading	271
Second reading	277
Subsequent proceedings	297, 302, 306-8, 321, 347
Governor's Message recommending appropriation	299
<i>Act No. 36 of 1997</i> <i>Assented to 3 June 1997</i>	
And see "Divisions in House"	
Gas Industry (Further Amendment) Bill - (Mr Stockdale)	
First reading	405
Second reading	410
Subsequent proceedings	416, 439-41, 464
Governor's Message recommending appropriation	419
<i>Act No. 91 of 1997</i> <i>Assented to 9 December 1997</i>	
And see "Divisions in House"	
Gas Safety Bill - (Mr Stockdale)	
First reading	405
Second reading	410
Subsequent proceedings	416, 439, 452, 460
Governor's Message recommending appropriation	419
<i>Act No. 99 of 1997</i> <i>Assented to 16 December 1997</i>	
Geelong Lands (Steampacket Place) Bill - (Mrs Tehan)	
First reading	93
Second reading	97
Subsequent proceedings	101, 107-8, 118, 132
Governor's Message recommending appropriation	104
<i>Act No. 30 of 1996</i> <i>Assented to 22 October 1996</i>	
And see "Divisions in House"	
Geelong Performing Arts Centre Trust (Amendment) Bill - (Mr Kennett)	
First reading	369
Second reading	372
Subsequent proceedings	386, 427, 436
<i>Act No. 67 of 1997</i> <i>Assented to 18 November 1997</i>	
Guardianship and Administration Board (Amendment) Bill - (Mrs Wade)	
First reading	443
Second reading	448
Subsequent proceedings	452

Health Acts (Further Amendment) Bill -

(Dr Napthine)

First reading	119
Second reading	126
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	126
Subsequent proceedings	127, 158-9, 188, 207, 222
Governor's Message recommending appropriation	132
Absolute majority obtained	159, 207
<i>Act No. 68 of 1996 Assented to 17 December 1996</i> And see "Divisions in House"	

Health Acts (Amendment) Bill - (From Council - Dr Napthine)

First reading	47
Second reading	54
Subsequent proceedings	41, 76, 90, 203
<i>Act No. 19 of 1996 Assented to 2 July 1996</i>	

Health Services (Amendment) Bill - (Dr Napthine)

First reading	352
Second reading	357
Subsequent proceedings	364, 390, 433, 454
<i>Act No. 73 of 1997 Assented to 25 November 1997</i>	

Health Services (Community Health Centres) Bill - (Dr Napthine)

First reading	227
Second reading	234
Subsequent proceedings	238, 242-3, 280, 282, 299, 342
<i>Act No. 17 of 1997 Assented to 6 May 1997</i> And see "Divisions in House"	

Health Services (St Andrew's Hospital) Bill - (Dr Napthine)

First reading	405
Second reading	410
Subsequent proceedings	416, 441, 449, 454
Governor's Message recommending appropriation	419
<i>Act No. 83 of 1997 Assented to 2 December 1997</i>	

Heritage (Amendment) Bill - (Mr Maclellan, Pakenham)

First reading	227
Second reading	231
Subsequent proceedings	238, 253, 257, 288, 299
<i>Act No. 18 of 1997 Assented to 6 May 1997</i>	

<b>Hire-Purchase (Amendment) Bill - (Mrs Wade)</b>		
First reading		227
Second reading		244
Subsequent proceedings		263, 276, 291, 299
<i>Act No. 19 of 1997</i>	<i>Assented to 6 May 1997</i>	
<b>Hire-Purchase (Further Amendment) Bill - (Mrs Wade)</b>		
First reading		352
Second reading		356
Subsequent proceedings		364, 380, 392-3, 445, 454
<i>Act No. 74 of 1997</i>	<i>Assented to 25 November 1997</i>	
And see "Divisions in House"		
<b>Housing (Amendment) Bill - (Mrs Henderson)</b>		
First reading		33
Second reading		39
Subsequent proceedings		41, 65, 76, 90
<i>Act No. 20 of 1996</i>	<i>Assented to 2 July 1996</i>	
<b>Infertility Treatment (Amendment) Bill - (From Council - Dr Napthine)</b>		
First reading		291
Second reading		291
Subsequent proceedings		297, 334, 342, 347
<i>Act No. 37 of 1997</i>	<i>Assented to 3 June 1997</i>	
<b>Interpretation of Legislation (Amendment) Bill - [Privilege Bill] (Mr Kennett)</b>		
First reading		15
Second reading		38
Subsequent proceedings		41, 223, 250, 266
<i>Act No. 6 of 1997</i>	<i>Assented to 22 April 1997</i>	
<b>Introduction Agents Bill - (Mrs Wade)</b>		
First reading		318
Second reading		326
Subsequent proceedings		342, 353, 359, 423, 437, 454
Governor's Message recommending appropriation		348
<i>Act No. 75 of 1997</i>	<i>Assented to 25 November 1997</i>	

	Votes Volume 1 Page
Land (Further Revocation of Reservations) Bill - (Mrs Tehan)	
First reading	158
Second reading	166
Subsequent proceedings	188, 206, 222
Governor's Message recommending appropriation	191
<i>Act No. 69 of 1996</i> <i>Assented to 17 December 1996</i>	
Land (Reservations and Other Matters) Bill - (Mrs Tehan)	
First reading	409
Second reading	426
Subsequent proceedings	451, 458
Governor's Message recommending appropriation	454
And see "Divisions in House"	
<i>Act No. 100 of 1997</i> <i>Assented to 16 December 1997</i>	
Land (Revocation of Miscellaneous Reservations) Bill - (Mrs Tehan)	
First reading	241
Second reading	245
Subsequent proceedings	263, 267, 293, 299
Governor's Message recommending appropriation	266
<i>Act No. 21 of 1997</i> <i>Assented to 13 May 1997</i>	
Land (Revocation of Reservations) Bill - (Mrs Tehan)	
First reading	106
Second reading	111
Subsequent proceedings	127, 140, 172, 190
Governor's Message recommending appropriation	132
<i>Act No. 49 of 1996</i> <i>Assented to 26 November 1996</i>	
And see "Divisions in House"	
Land Tax (Amendment) Bill - (Mr Stockdale)	
First reading	424
Second reading	432
Subsequent proceedings	452, 459
Governor's Message recommending appropriation	454
<i>Act No. 101 of 1997</i> <i>Assented to 16 December 1997</i>	
And see "Divisions in House"	

Law and Justice Legislation Amendment Bill - (Mrs Wade)	
First reading	271
Second reading	278
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	278, 314
Subsequent proceedings	278, 297, 302, 304, 314, 315, 317, 335-7, 347
Governor's Message recommending appropriation	299
Instruction to Committee	301
Absolute majority obtained	336-7
<i>Act No. 44 of 1997</i> <i>Assented to 11 June 1997</i>	
And see "Divisions in House"	
Law and Justice Legislation (Further Amendment) Bill - (Mrs Wade)	
First reading	369
Second reading	373
Subsequent proceedings	373-4, 395, 405, 449, 454
Governor's Message recommending appropriation	379
<i>Act No. 84 of 1997</i> <i>Assented to 2 December 1997</i>	
And see "Divisions in House"	
Legal Practice (Amendment) Bill - (Mrs Wade)	
First reading	385
Second reading	393
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	393
Subsequent proceedings	395, 428, 430, 456, 465
Absolute majority obtained	430, 465
<i>Act No. 102 of 1997</i> <i>Assented to 16 December 1997</i>	
Legal Practice Bill - (Mrs Wade)	
First reading	72
Second reading	83
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	83
Subsequent proceedings	85, 91, 95, 96, 98-9, 117, 121, 154
Governor's Message recommending appropriation	90
Governor's Message recommending a further appropriation	91
Absolute majority obtained	99, 121
<i>Act No. 35 of 1996</i> <i>Assented to 6 November 1996</i>	
And see "Divisions in House"	

Legal Profession Practice (Direct Mortgages) Bill - (Mrs Wade)	
First reading	15
Second reading	39
Subsequent proceedings	42, 52, 64, 69
<i>Act No. 3 of 1996</i> <i>Assented to 18 June 1996</i>	
Livestock Disease Control (Amendment) Bill - (Mr McNamara)	
First reading	241
Second reading	243
Subsequent proceedings	263, 272, 277, 304, 314
Governor's Message recommending appropriation	266
<i>Act No. 25 of 1997</i> <i>Assented to 20 May 1997</i>	
Local Government (Amendment) Bill - (Mr Maclellan, Pakenham)	
First reading	49
Second reading	53
Subsequent proceedings	68, 94-5, 118, 122-3, 125, 132
<i>Act No. 34 of 1996</i> <i>Assented to 29 October 1996</i>	
And see "Divisions in House"	
Local Government (Further Amendment) Bill - (Mr Maclellan, Pakenham)	
First reading	241
Second reading	244
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	244
Subsequent proceedings	263, 275, 276, 297, 312, 347
Governor's Message recommending appropriation	266
Absolute majority obtained	276
<i>Act No. 27 of 1997</i> <i>Assented to 27 May 1997</i>	
And see "Divisions in House"	
Local Government (Miscellaneous Amendment) Bill - (Mr Maclellan, Pakenham)	
First reading	351
Second reading	356
Subsequent proceedings	363, 388-9, 391-2, 442, 454
Absolute majority obtained	392
<i>Act No. 76 of 1997</i> <i>Assented to 25 November 1997</i>	
And see "Divisions in House"	

Lord Mayor's Charitable Fund Bill - (Dr Napthine)	
First reading	138
Second reading	149
Subsequent proceedings	152, 161, 194, 200, 222
<i>Act No. 54 of 1996</i>	<i>Assented to 10 December 1996</i>
Magistrates' Court (Amendment) Bill - (Mr Kennett)	
First reading	158
Second reading	164
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	164
Subsequent proceedings	188, 200-1, 221, 222
Governor's Message recommending appropriation	191
Governor's Message recommending further appropriation	200
Instruction to Committee	198
Absolute majority obtained	201
<i>Act No. 70 of 1996</i>	<i>Assented to 17 December 1996</i>
And see "Divisions in House"	
Melbourne and Metropolitan Board of Works (Amendment) Bill - (Mr McNamara)	
First reading	290
Second reading	295
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	295
Subsequent proceedings	297, 316, 326, 347
Absolute majority obtained	316
<i>Act No. 38 of 1997</i>	<i>Assented to 3 June 1997</i>
Melbourne and Olympic Parks (Amendment) Bill - (Mr Reynolds)	
First reading	319
Second reading	327
Subsequent proceedings	342, 353, 360, 384, 399
Governor's Message recommending appropriation	348
<i>Act No. 56 of 1997</i>	<i>Assented to 21 October 1997</i>
Melbourne City Link (Amendment) Bill - (Mr Maclellan, Pakenham)	
First reading	49
Second reading	53
Subsequent proceedings	68, 70, 72-3, 89, 90
Governor's Message recommending appropriation	59
<i>Act No. 21 of 1996</i>	<i>Assented to 2 July 1996</i>
And see "Divisions in House"	

<b>Melbourne City Link (Further Amendment) Bill -</b>	
<b>(Mr Maclellan, Pakenham)</b>	
First reading	272
Second reading	278
Subsequent proceedings	297, 322, 327-8, 347
Governor's Message recommending appropriation	299
<i>Act No. 39 of 1997</i>	<i>Assented to 3 June 1997</i>
And see "Divisions in House"	
<b>Melbourne Convention and Exhibition Trust Bill - (Mr Reynolds)</b>	
First reading	157
Second reading	165
Subsequent proceedings	188, 203-4, 221, 222
Governor's Message recommending appropriation	191
<i>Act No. 71 of 1996</i>	<i>Assented to 17 December 1996</i>
And see "Divisions in House"	
<b>Melbourne Exhibition Centre (Amendment) Bill - (Mr Gude)</b>	
First reading	72
Second reading	83
Subsequent proceedings	85, 91, 221, 222
Governor's Message recommending appropriation	90
<i>Act No. 72 of 1996</i>	<i>Assented to 17 December 1996</i>
<b>Melbourne Lands (Yarra River North Bank) Bill - (Mrs Tehan)</b>	
First reading	250
Second reading	257
Subsequent proceedings	263, 286, 291, 308, 347
Governor's Message recommending appropriation	266
<i>Act No. 28 of 1997</i>	<i>Assented to 27 May 1997</i>
<b>Melbourne Sports and Aquatic Centre (Amendment) Bill -</b>	
<b>(Mr Reynolds)</b>	
First reading	352
Second reading	357
Subsequent proceedings	363, 366, 390, 427, 437
<i>Act No. 68 of 1997</i>	<i>Assented to 18 November 1997</i>
<b>Melbourne University (VCAH) Bill - (Mr Honeywood)</b>	
First reading	227
Second reading	235
Subsequent proceedings	238, 239, 269, 284
<i>Act No. 9 of 1997</i>	<i>Assented to 29 April 1997</i>

<b>Mental Health (Interstate Provisions) Bill - (Mr Stockdale)</b>	
First reading	138
Second reading	149
Subsequent proceedings	152, 177, 202, 222
<i>Act No. 55 of 1996</i> <i>Assented to 10 December 1996</i>	
<b>Mental Health (Victorian Institute of Forensic Mental Health) Bill - (Dr Napthine)</b>	
First reading	352
Second reading	370
Subsequent proceedings	395, 400, 445, 454
Governor's Message recommending appropriation	379
<i>Act No. 77 of 1997</i> <i>Assented to 25 November 1997</i>	
<b>Miscellaneous Acts (Further Omnibus Amendments) Bill - (Mrs Wade)</b>	
First reading	119
Second reading	125
Subsequent proceedings	124, 127, 155, 160, 161-2, 168, 206, 222
Governor's Message recommending appropriation	132
<i>Act No. 73 of 1996</i> <i>Assented to 17 December 1996</i>	
And see "Divisions in House"	
<b>Miscellaneous Acts (Omnibus Amendments) Bill - (Mr McGrath, Wimmera)</b>	
First reading	50
Second reading	54
Subsequent proceedings	68, 74-6, 89, 90
Instruction to Committee	75
Governor's Message recommending appropriation	75
<i>Act No. 22 of 1996</i> <i>Assented to 2 July 1996</i>	
And see "Standing Orders suspended"	
<b>Miscellaneous Acts (Omnibus No. 3) Bill - (Dr Napthine)</b>	
First reading	272
Second reading	279
Subsequent proceedings	279-80, 297, 323-5, 329-32, 342, 347
Governor's Message recommending appropriation	299
<i>Act No. 45 of 1997</i> <i>Assented to 11 June 1997</i>	
And see "Divisions in House"	

Motor Car Traders (Amendment) Bill - (Mrs Wade)	
First reading	138
Second reading	148
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	160, 170
Subsequent proceedings	152, 174-5, 176, 182-3, 206, 222
Governor's Message recommending appropriation <i>Act No. 74 of 1996</i> <i>Assented to 17 December 1996</i> And see "Divisions in House"	154
National Australia Bank and Bank of New Zealand Bill - (Mr Stockdale)	
First reading	226
Second reading	231
Subsequent proceedings	237, 257, 269, 284
Governor's Message recommending appropriation	239
Bill ruled a Private Bill, treated as a Public Bill, Fees paid	257
<i>Act No. 10 of 1997</i> <i>Assented to 29 April 1997</i>	
National Electricity (Victoria) Bill - (Mr Stockdale)	
First reading	270
Second reading	277
Subsequent proceedings	297, 304, 317, 347
Governor's Message recommending appropriation	299
<i>Act No. 29 of 1997</i> <i>Assented to 27 May 1997</i>	
National Parks (Amendment) Bill - (Mrs Tehan)	
First reading	172
Second reading	184
Subsequent proceedings	188, 228, 250, 266
<i>Act No. 7 of 1997</i> <i>Assented to 22 April 1997</i> And see "Divisions in House"	
North Melbourne Lands Bill - (Mrs Tehan)	
First reading	106
Second reading	111
Subsequent proceedings	127, 135, 156, 190
Governor's Message recommending appropriation	132
<i>Act No. 50 of 1996</i> <i>Assented to 26 November 1996</i>	

Office of the Regulator-General (Amendment) Bill - (Mr Stockdale)	
First reading	226
Second reading	231
Subsequent proceedings	237, 254-5, 256-7, 293, 299
<i>Act No. 22 of 1997</i>	<i>Assented to 13 May 1997</i>
And see "Divisions in House"	
Optometrists Registration Bill - (Dr Napthine)	
First reading	138
Second reading	148
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	148
Subsequent proceedings	152, 177, 181-2, 194, 222
Governor's Message recommending appropriation	154
Absolute majority obtained	182
<i>Act No. 56 of 1996</i>	<i>Assented to 10 December 1996</i>
And see "Divisions in House"	
Osteopaths Registration Bill - (Dr Napthine)	
First reading	119
Second reading	126
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	126
Subsequent proceedings	127, 160, 188, 202, 222
Governor's Message recommending appropriation	132
Absolute majority obtained	159
<i>Act No. 75 of 1996</i>	<i>Assented to 17 December 1996</i>
Parliament House Completion Authority (Amendment) Bill - (Mr Maclellan, Pakenham)	
First reading	157
Second reading	165
Subsequent proceedings	188, 201, 347
And see "Divisions in House"	
Parliament House Completion Authority Bill - (Mr Kennett)	
First reading	49
Second reading	53
Subsequent proceedings	57, 64, 78, 90
Governor's Message recommending appropriation	59
Governor's Message recommending a further appropriation	64
<i>Act No. 9 of 1996</i>	<i>Assented to 25 June 1996</i>

Parliament House Completion Authority (Repeal) Bill -  
(Mr Gude)

First reading	209
Second reading	224
Subsequent proceedings	224, 233-4, 242, 265
Governor's Message recommending appropriation	213
<i>Act No. 1 of 1997</i> <i>Assented to 15 April 1997</i>	
And see "Divisions in House"	

Pipelines (Amendment) Bill - (Mr McNamara)

First reading	157
Second reading	165
Subsequent proceedings	188, 204, 221, 222
Governor's Message recommending appropriation	191
<i>Act No. 76 of 1996</i> <i>Assented to 17 December 1996</i>	

Planning and Environment (Amendment) Bill -  
(Mr Maclellan, Pakenham)

First reading	385
Second reading	393
Subsequent proceedings	395, 421-2, 424-5
Governor's Message recommending appropriation	399
<i>Act No. 103 of 1997</i> <i>Assented to 16 December 1997</i>	
And see "Divisions in House"	

Planning and Environment (Planning Schemes) Bill -  
(Mr Maclellan, Pakenham)

First reading	157
Second reading	164
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	164
Subsequent proceedings	188, 202, 207, 211-13, 222
Governor's Message recommending appropriation	191
Absolute majority obtained	213
<i>Act No. 77 of 1996</i> <i>Assented to 17 December 1996</i>	
And see "Divisions in House"	

<b>Podiatrists Registration Bill - (Dr Napthine)</b>	
First reading	352
Second reading	357
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	357
Subsequent proceedings	363, 421, 445, 454
Governor's Message recommending appropriation	366
Absolute majority obtained	421
<i>Act No. 78 of 1997</i> <i>Assented to 25 November 1997</i>	
<b>Police and Corrections (Amendment) Bill - (Mr McGrath, Wimmera)</b>	
First reading	250
Second reading	257-8
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	258
Subsequent proceedings	263, 286, 309, 311, 314
Governor's Message recommending appropriation	266
Instruction to Committee	285
Absolute majority obtained	286, 311
<i>Act No. 26 of 1997</i> <i>Assented to 20 May 1997</i>	
<b>Police Regulation (Selection and Review) Bill - (Mr McGrath, Wimmera)</b>	
First reading	62
Second reading	64
Subsequent proceedings	68, 70, 89, 90
<i>Act No. 23 of 1996</i> <i>Assented to 2 July 1996</i>	
<b>Port Services (Amendment) Bill - (Mr Kennett)</b>	
First reading	350
Second reading	355
Subsequent proceedings	364, 366, 368, 374, 405, 419
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**SESSION 1996-98**

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## MEMBERS OF THE LEGISLATIVE ASSEMBLY

Under Section 34 and 35 of the Constitution Act 1975, No. 8750,  
the Legislative Assembly consists of Eighty-eight Members

## FIFTY-THIRD PARLIAMENT

## FIRST SESSION

14 May 1996 - 16 February 1998

Member	District	Number of Electors on Rolls	Number of Electors who voted	First Preference Votes	Final Votes after Distribution	Percentage of Electors who voted
Andrianopoulos, Alex 1	Mill Park	36,729	34,908	20,224	-	95.04
Andrighetto, Florian	Narracan	31,360	29,877	13,903	15,095	95.27
Ashley, Gordon Wetzel	Bayswater	34,454	32,483	17,843	-	94.28
Baker, The Honourable Ian Malcolm John 2	Sunshine	36,834	34,216	22,038	-	92.89
Batchelor, Peter	Thomastown	34,330	32,479	22,235	-	94.61
Bracks, Stephen Phillip	Williamstown	33,966	31,470	19,440	-	92.65
Brown, The Honourable Alan John 3	Gippsland West	31,348	29,858	16,944	-	95.25
Brumby, John Mansfield 4	Broadmeadows	34,489	31,975	22,249	-	92.71
Burke, Ms Leonie Therese	Prahran	37,891	33,195	17,135	-	87.61
Cameron, Robert Graham	Bendigo West	33,907	32,187	13,849	16,371	94.45
Campbell, Christine Mary	Pascoe Vale	30,828	28,622	16,672	-	92.84
Carli, Carlo	Coburg	34,394	31,669	19,934	-	92.08
Clark, Robert William 5	Box Hill	33,537	31,435	18,270	-	93.73
Cole, Neil Donald 6	Melbourne	37,574	33,212	17,276	-	88.39
Coleman, The Honourable Charles Geoffrey 7	Bennettswood	32,880	31,055	17,685	-	94.45
Cooper, Robert Fitzgerald 8	Mornington	33,527	31,493	18,291	-	93.93
Cunningham, David James 9	Melton	37,746	35,344	21,238	-	93.64

Member	District	Number of Electors on Rolls	Number of Electors who voted	First Preference Votes	Final Votes after Distribution	Percentage of Electors who voted
Davies, Ms Susan Margaret 10	Gippsland West	31,375	27,824	8,844	13,606	88.68
Dean, Dr Robert Logan 11	Berwick	38,794	36,873	19,105	-	95.05
Dixon, Martin Frances	Dromana	33,917	31,957	16,032	-	94.22
Dollis, Demetri 12	Richmond	39,405	35,121	21,216	-	89.13
Doyle, Robert Keith Bennett 13	Malvern	34,849	32,171	20,990	-	92.32
Elder, Stephen Noel 14	Ripon	31,819	30,410	15,678	-	95.57
Elliott, Mrs Lorraine Clare 15	Mooroolbark	32,693	31,012	18,476	-	94.86
Finn, Bernard (Bernie) Thomas Christopher	Tullamarine	36,359	34,571	16,319	17,887	95.08
Garbutt, Ms Sherryl Maree	Bundoora	35,535	33,849	16,735	-	95.26
Gillett, Ms Mary Jane 16	Werribee	38,146	36,259	16,395	17,943	95.05
Gude, The Honourable Phillip Archibald 17	Hawthorn	35,652	33,655	20,251	-	94.40
Haermeyer, Andre	Yan Yean	34,679	33,111	16,264	-	95.48
Hamilton, Keith Graeme	Morwell	33,541	31,900	16,080	-	95.11
Henderson, Mrs Ann Mary 18	Geelong	34,099	32,150	16,543	-	94.28
Honeywood, Phillip Neville 19	Warrandyte	32,457	31,097	18,820	-	95.81
Hulls, Rob Justin	Niddrie	32,772	31,227	16,446	-	95.29
Jasper, Kenneth Stephen 20	Murray Valley	34,420	32,508	22,774	-	94.45
Jenkins, Geoffrey Paul	Ballarat West	31,914	30,280	14,706	15,265	94.88
John, The Honourable Michael 21	Bendigo East	32,794	31,063	16,035	-	94.72
Kennett, The Honourable Jeffrey Gibb 22	Burwood	33,722	31,704	17,836	-	94.02
Kilgour, Donald 23	Shepparton	33,104	31,182	20,078	-	94.19
Kosky, Ms Lynne Janice	Altona	33,229	31,408	17,323	-	94.52
Langdon, Craig Anthony Cuffe 24	Ivanhoe	32,883	30,981	14,965	15,623	94.22
Lean, David Richard	Carrum	35,676	33,604	16,248	16,703	94.19

Member	District	Number of Electors on Rolls	Number of Electors who voted	First Preference Votes	Final Votes after Distribution	Percentage of Electors who voted
Leigh, Geoffrey Graeme 25	Mordialloc	32,249	30,470	15,951	-	94.48
Leighton, Michael Andrew	Preston	33,126	30,893	18,890	-	93.26
Lim, Hong	Clayton	35,509	33,231	17,852		93.58
Loney, Peter James	Geelong North	33,570	32,029	18,042	-	95.41
Lupton, Hurtle Reginald OAM, JP	Knox	35,772	33,932	18,916	-	94.86
McArthur, Stephen James 26	Monbulk	32,217	30,432	15,684	-	94.46
McCall, Andrea Lea	Frankston	32,410	30,347	19,180	-	93.63
McGill, Mrs Denise Frances	Oakleigh	33,229	30,941	14,317	15,309	93.11
McGrath, John Francis 27	Warrnambool	33,711	32,329	18,357	-	95.90
McGrath, The Honourable William (Bill) Desmond 28	Wimmera	33,166	31,792	17,844	-	95.86
McLellan, Frederick Peter	Frankston East	28,976	27,338	13,085	14,192	94.35
McNamara, The Honourable Patrick John 29	Benalla	32,966	31,274	18,055	-	94.87
MacLellan, The Honourable Robert Roy Cameron 30	Pakenham	33,036	31,307	17,830	-	94.77
Maddigan, Mrs Judith (Judy) Marilyn	Essendon	33,728	31,481	15,652		93.34
Maughan, Noel John 31	Rodney	32,425	31,108	19,464	-	95.94
Micallef, Edward Joseph	Springvale	34,119	32,090	17,076	-	94.05
Mildenhall, Bruce Allan	Footscray	33,297	30,317	19,770	-	91.05
Napthine, Dr Denis Vincent 32	Portland	30,201	28,840	15,801	-	95.49
Pandazopoulos, John	Dandenong	39,727	37,448	17,908	19,226	94.26
Paterson, Alistair Irvine	South Barwon	33,512	31,945	18,565		95.32
Perrin, David John 33	Bulleen	32,991	31,307	19,331	-	94.90
Perton, Victor John 34	Doncaster	34,695	32,817	20,472	-	94.59

Member	District	Number of Electors on Rolls	Number of Electors who voted	First Preference Votes	Final Votes after Distribution	Percentage of Electors who voted
Pescott, The Honourable Roger 35	Mitcham	33,861	32,234	16,951	-	95.20
Peulich, Mrs Inga 36	Bentleigh	33,850	32,191	16,957		95.10
Phillips, Wayne	Eltham	38,186	36,415	19,624	-	95.36
Plowman, Antony (Tony) Fulton 37	Benambra	33,837	31,574	19,452		93.31
Plowman, The Honourable Sidney James (Jim) 38	Evelyn	34,655	32,611	19,044	-	94.10
Reynolds, The Honourable Thomas (Tom) 39	Gisborne	33,807	32,303	17,630	-	95.55
Richardson, John Ingles 40	Forest Hill	33,610	31,864	18,637	-	94.81
Robinson Anthony (Tony) Gerard 41	Mitcham	33,919	29,589	13,206	17,214	87.23
Rowe, Gary James	Cranbourne	38,062	36,403	20,912	-	95.64
Ryan, Peter Julian 42	Gippsland South	32,958	31,175	20,747	-	94.59
Savage, Russell Irwin	Mildura	32,165	30,282	10,616	15,273	94.15
Seitz, George 43	Keilor	38,163	35,937	20,290	-	94.17
Shardey, Mrs Helen Jean	Caulfield	36,424	33,379	18,995		91.64
Sheehan, The Honourable Anthony John 44	Northcote	34,884	32,369	18,550	-	92.79
Smith, Ernest Ross 45	Glen Waverley	31,883	30,211	19,212	-	94.76
Smith, The Honourable Ian Winton 46	Polwarth	32,761	31,263	15,631	-	95.43
Spry, Garry Howard	Bellarine	32,466	31,094	16,974	-	95.77
Steggall, Barry Edward Hector 47	Swan Hill	30,788	29,318	17,007	-	95.23
Stockdale, The Honourable Alan Robert 48	Brighton	33,421	31,022	20,299		92.82
Tehan, The Honourable Marie Therese 49	Seymour	33,341	31,665	16,301		94.97
Thompson, Murray Hamilton	Sandringham	33,745	31,580	19,483	-	93.58

Member	District	Number of Electors on Rolls	Number of Electors who voted	First Preference Votes	Final Votes after Distribution	Percentage of Electors who voted
Thwaites, John William 50	Albert Park	37,480	33,664	18,789		89.82
Traynor, Barry Edward	Ballarat East	31,581	29,952	14,232	14,736	94.84
Treasure, David Lewis	Gippsland East	32,716	30,799	15,999	-	94.14
Wade, The Honourable Jan Louise Murray 51	Kew	34,235	31,909	19,946	-	93.21
Wells, Kimberley Arthur	Wantirna	35,087	32,731	19,930	-	93.29
Wilson, Mrs Janet Tindale Calder	Dandenong North	33225	31347	15385		94.35

## NOTES

The particulars given in the above Table relate to the General Election 1996; the date of each Member's election being 30 March 1996 "the day of polling". Further information concerning the General Election is to be found in "Report to Parliament of the Administration of the 1996 Victorian State Election" prepared by the Electoral Commissioner for the State of Victoria pursuant to section 144D(1)(d) of the *The Constitution Act Amendment Act 1958*.

Where a Member's Name is printed in bold type the particulars relate to an election held subsequent to the General Election 1996 and the date of such election will be found in the following notes (detailed returns of these by-elections will be found in reports to the Parliament tabled pursuant to section 144D(1)(d) of the *The Constitution Act Amendment Act 1958*.

- 1 Mr A. Andrianopoulos, Temporary Chairman of Committees from 15 May 1996.
- 2 The Hon. I.M.J. Baker, Minister for Property and Services from 10 August 1990 to 17 January 1991; Minister for Agriculture from 18 January 1991 to 20 January 1992; Minister for Food and Agriculture from 21 January 1992 to 6 October 1992.
- 3 The Hon. A.J. Brown, Leader of the Opposition from 23 May 1989 to 23 April 1991; Minister for Public Transport from 6 October 1992 to 3 April 1996, Minister for Transport from 3 April 1996 to 31 December 1996; resigned 31 December 1996.
- 4 Mr J.M. Brumby, elected 18 September 1993, vice Hon. J.H. Kennan, resigned; Leader of the Opposition from 30 June 1993.
- 5 Mr R.W. Clark, Parliamentary Secretary to the Treasurer from 17 November 1992 to 3 April 1996 and Parliamentary Secretary to Treasury, Finance and Multimedia from 3 April 1996.
- 6 Mr N.D. Cole, Temporary Chairman of Committees from 15 May 1996.
- 7 The Hon. C.G. Coleman, Minister for Natural Resources from 6 October 1992 to 3 April 1996.
- 8 Mr R.F. Cooper, Chairman Public Bodies Review Committee from 25 November 1992 to 5 March 1996, Temporary Chairman of Committees from 27 October 1992 to 5 March 1996, Parliamentary Secretary to Transport, Roads and Ports from 3 April 1996 to 5 January 1997. Minister for Transport from 6 January 1997.
- 9 Mr D.J. Cunningham, Temporary Chairman of Committees from 27 October 1992.
- 10 Ms S Davies, elected 1 February 1997, vice Hon. A.J. Brown, resigned 31 December 1996.

- 11 Dr R L Dean, Parliamentary Secretary, Justice from 3 April 1996.
- 12 Mr D Dollis, Deputy Leader of the Opposition from 3 May 1994 to 23 December 1996.
- 13 Mr R.K. Doyle, Parliamentary Secretary, Human Services from 3 April 1996
- 14 Mr S.N. Elder, Parliamentary Secretary, Education from 17 November 1992.
- 15 Mrs L.C. Elliott, Parliamentary Secretary to the Premier for the Arts from 3 April 1996.
- 16 Ms M. J. Gillett, Secretary, Parliamentary Labor Party from 3 April 1996.
- 17 The Hon. P.A. Gude, Parliamentary Secretary to Cabinet, August 1978 to May 1979; Minister for Industry Services, Minister for Small Business and Minister for Youth Affairs from 6 October 1992 to 9 November 1992; Minister for Industry and Employment from 6 October 1992 to 3 April 1996. Minister for Regional Development from 13 June 1995 to 3 April 1996; Minister for Education from 3 April 1996.
- 18 The Hon. A.M. Henderson, Minister for Housing and Minister Responsible for Aboriginal Affairs from 3 April 1996.
- 19 Mr P.N. Honeywood, Parliamentary Secretary to the Minister for Ethnic Affairs from 17 November 1992 to April 1996; Minister for Tertiary Education and Training and Minister Assisting the Premier on Multicultural Affairs from 3 April 1996.
- 20 Mr K.S. Jasper, Temporary Chairman of Committees from 27 April 1982.
- 21 The Hon. M. John, Minister for Community Services and Minister responsible for Aboriginal Affairs from 9 November 1992 to 3 April 1996; Chairman Federal State Relations Committee from 6 June 1996.
- 22 The Hon. J.G. Kennett, Minister without portfolio from 23 December 1980; Minister of Housing from 3 February 1981 to 8 April 1982; Minister of Immigration and Ethnic Affairs (without salary) from 17 February 1981 to 8 April 1982; Leader of the Opposition from 26 October 1982 to 23 May 1989 and from 23 April 1991 to 6 October 1992; Premier from 6 October 1992; Minister for Ethnic Affairs from 6 October 1992 to 3 April 1996; Minister for Multicultural Affairs and Minister for the Arts since 3 April 1996.
- 23 Mr D. Kilgour, National Party Whip, from 2 July 1996
- 24 Mr C. A. C. Langdon, Opposition Whip from 15 April 1996.

- 25 Mr G. G. Leigh, Chairman, Community Development Committee from 27 November 1992 to 5 March 1996; Chairman, Family and Community Development Committee from 22 May 1996.
- 26 Mr S.J. McArthur, Temporary Chairman of Committees from 15 May 1996.
- 27 Mr J.F. McGrath, Temporary Chairman of Committees from 17 March 1992 to 14 August 1992; Deputy Speaker and Chairman of Committees from 27 October 1992.
- 28 The Hon. W.D. McGrath, Deputy Leader of the National Party from 20 October 1988, Minister for Agriculture from 9 November 1992 to 3 April 1996; Minister for Police and Emergency Services and Minister for Corrections from 3 April 1996. Deputy Leader of the National Party from 20 October 1988.
- 29 The Hon. P.J. McNamara, Minister for Police and Emergency Services, Minister for Corrections and Minister for Tourism from 6 October 1992 to 3 April 1996; Minister for Agriculture from 6 October 1992 to 9 November 1992; Minister for Agriculture and Resources from 3 April 1996; Deputy Premier from 6 October 1992.
- 30 The Hon. R.R.C. Maclellan, Minister of Labour and Industry from 31 March 1976 to 18 August 1978; Minister of Consumer Affairs (without salary) from 31 March 1976 to 16 August 1978; Minister of Public Works (without salary) and Minister for Property and Services (without salary) from 10 August 1978 to 16 August 1978; Minister of Transport from 18 August 1978 to 8 April 1982; Minister for Planning from 6 October 1992 to 3 April 1996; Minister for Planning and Local Government from 3 April 1996.
- 31 Mr N.J. Maughan, Temporary Chairman of Committees from 27 October 1992.
- 32 Dr. D.V. Napthine, Parliamentary Secretary to the Minister for Health from 17 November 1992 to 3 April 1996; Minister for Youth and Community Services from 3 April 1996.
- 33 Mr D.J. Perrin, Chairman, Environment and Natural Resources Committee from 1 December 1992; Temporary Chairman of Committees from 27 October 1992.
- 34 Mr V.J. Perton, Chairman, Scrutiny of Acts and Regulations Committee from 3 December 1992 to 5 March 1996; Chairman, Law Reform Committee from 29 May 1996; Temporary Chairman of Committees from 15 May 1996.
- 35 The Hon. R. Pescott, Minister for Industry Services from 9 November 1992 to 3 April 1996; resigned 11 November 1997.
- 36 Mrs I. Peulich, Temporary Chairman of Committees from 15 May 1996.

- 37 Mr A.F. Plowman, Temporary Chairman of Committees from 15 May 1996.
- 38 The Hon. S.J. Plowman, Speaker from 29 May 1979 to 27 April 1982 and from 14 May 1996; Temporary Chairman of Committees from 3 April 1985 to 17 March 1992; Minister for Energy and Minerals and Minister Assisting the Treasurer on State Owned Enterprises from 6 October 1992 to 3 April 1996.
- 39 The Hon. T.C. Reynolds, Minister for Sport, Recreation and Racing from 6 October 1992 to 3 April 1996; Minister for Sport, and Minister for Rural Development from 3 April 1996.
- 40 Mr J. I. Richardson, Temporary Chairman of Committees from 29 May 1979; Chairman, Road Safety Committee from 26 November 1992.
- 41 Mr A. G. Robinson, elected 13 December 1997, vice Hon. R Pescott, resigned.
- 42 Mr P. Ryan, Chairman, Scrutiny of Acts and Regulations Committee from 23 May 1996.
- 43 Mr G. Seitz, Temporary Chairman of Committees from 15 May 1996.
- 44 The Hon. A.J. Sheehan, Minister for Housing and Construction from 10 August 1990 to 17 January 1991; Minister for Finance from 18 January 1991 to 20 January 1992; Treasurer from 21 January 1992 to 6 October 1992.
- 45 Mr E. R. Smith, Temporary Chairman of Committees from 27 October 1992 to 5 March 1996; Government Whip from 14 May 1996.
- 46 The Hon. I.W. Smith, Minister of Water Supply from 11 June 1970 to 22 December 1970; Minister for Social Welfare from 22 December 1970 to 30 May 1973; Minister for Youth, Sport and Recreation (without salary) from 23 August 1972 to 30 May 1973; Minister of Agriculture from 30 May 1973 to 23 December 1980; Minister for Economic Development from 23 December 1980 to 25 May 1981; Minister for State Development, Decentralization and Tourism (without salary) from 3 February 1981 to 25 May 1981; resigned 29 March 1983; elected 2 March 1985; Minister for Finance from 6 October 1992 to 31 May 1995.
- 47 Mr B.E.H. Steggall, Temporary Chairman of Committees from 25 October 1988 to 14 August 1992; Senior Parliamentary Secretary to the Premier from 17 November 1992 to April 1996; Parliamentary Secretary, State Development from 3 April 1996.
- 48 The Hon. A.R. Stockdale, Treasurer from 6 October 1992; Minister for Multimedia from 3 April 1996
- 49 The Hon. M.T. Tehan, Minister for Health Services; Minister for Community Services and Minister for Aboriginal Affairs from 6 October 1992 to 9 November 1992; Minister for Health from

9 November 1992 to 3 April 1996; Minister for Conservation and Land Management from 3 April 1996.

- 50 Mr J.W. Thwaites, Deputy Leader of the Opposition from 23 December 1996.
- 51 The Hon. J.L.M. Wade, Attorney-General, Minister for Fair Trading and Minister for Women's Affairs from 6 October 1992.

## OFFICERS OF THE LEGISLATIVE ASSEMBLY

<b>Speaker</b>	..	..	THE HONOURABLE SIDNEY JAMES PLOWMAN, M.P.
<b>Chairman of Committees</b>	..	..	JOHN FRANCIS McGRATH, M.P.
<b>Clerk of the Legislative Assembly</b>	..	..	PHILIP JOHN MITHEN, J.P.
<b>Deputy Clerk</b>	..	..	RAYMOND WILLIAM PURDEY
<b>Assistant Clerk and Clerk of Committees</b>	..	..	MARCUS LEONARD BROMLEY
<b>Serjeant-at-Arms</b>	..	..	GEOFFREY HERBERT WESTCOTT

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS Nos. 1, 2, 3 and 4

### No. 1 - Tuesday, 14 May 1996

The Parliament of Victoria begun and held at the City of Melbourne on Tuesday the fourteenth day of May, in the forty-fifth year of the Reign of Her Majesty Queen Elizabeth the Second; and in the year of Our Lord One thousand nine hundred and ninety-six.

- 1 On which day, being the first day of the meeting of this Parliament, for the despatch of business, pursuant to Proclamation (hereinafter set forth), Philip John Mithen, Esquire, Clerk of the Legislative Assembly, Raymond William Purdey, Esquire, Deputy Clerk and Marcus Leonard Bromley, Esquire, Assistant Clerk and Clerk of Committees, attending in the House, the said Proclamation was read at the Table by the Clerk:

#### FIXING THE TIME FOR HOLDING THE FIRST SESSION OF THE FIFTY- THIRD PARLIAMENT OF VICTORIA

#### PROCLAMATION

I, Richard E. McGarvie, AC, Governor of the State of Victoria, acting under section 8 and section 20 of the *Constitution Act* 1975 and all other powers vested in me, fix Tuesday 14 May 1996 at 11.00 a.m. as the time for the commencement and holding of the First session of the Fifty-third Parliament of Victoria for the dispatch of business, at the Parliament Houses, Melbourne. The Honourable 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 Victoria on 19 April 1996.

(L.S.)

R. E. McGARVIE  
Governor

By His Excellency's Command

J. G. KENNETT  
Premier

- 2 **MESSAGE FROM COMMISSIONERS** - The following Message from the Commissioners appointed by His Excellency the Governor to open the Parliament was delivered by the Usher of the Black Rod:

#### MEMBERS OF THE LEGISLATIVE ASSEMBLY:

The Commissioners from His Excellency the Governor request the presence of the Members of the Legislative Assembly in the Legislative Council Chamber to hear the Commission read for the commencement and holding of this present Session of Parliament.

Accordingly, the Members of the Legislative Assembly went to the Legislative Council Chamber, where the Honourable Mr Justice John Harber Phillips said—

HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

His Excellency the Governor, not thinking fit to be present in person, has been pleased to cause a Commission to issue under the Seal of the State constituting us 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.

Then the said Commission was read and is as follows:

BY HIS EXCELLENCY RICHARD E. MCGARVIE, A.C.  
GOVERNOR OF VICTORIA

TO THE HONOURABLE MR JUSTICE JOHN HARBER PHILLIPS  
CHIEF JUSTICE OF VICTORIA  
AND  
THE HONOURABLE MR JUSTICE JOHN SPENCE WINNEKE  
PRESIDENT OF THE COURT OF APPEAL.

GREETING:

Acting under all available powers and with the consent of the Premier, I commission you, on my behalf, to begin the first session of the Fifty-third Parliament at 11.00 in the morning on Tuesday the fourteenth day of May 1996 and to do all other things that it is necessary or usual for me to do on the opening of a new Parliament.

Given under my hand and the seal of Victoria on 6 May 1996

(L.S.)

R. E. MCGARVIE  
Governor

By His Excellency's Command,

J.G. KENNETT  
Premier

And then the Honourable the Chief Justice said—

HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

I have it in command from His Excellency to let you know that later this day His Excellency will declare to you in person in this place the causes of his calling this Parliament together; and, as it is necessary before you proceed to the despatch of business that a President of the Legislative Council and a Speaker of the Legislative Assembly be chosen, His Excellency requests that you, in your respective Chambers, will proceed to the choice of proper persons to be such President and Speaker.

And the Members of the Assembly being returned —

- 3 **COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS** - The Honourable Mr Justice Winneke, having entered the House and been conducted by the Serjeant-at-Arms to the Chair, handed to the Clerk at the Table a Commission, which was read as follows:

BY HIS EXCELLENCY RICHARD E. MCGARVIE, A.C.  
GOVERNOR OF VICTORIA  
TO THE HONOURABLE MR JUSTICE JOHN SPENCE WINNEKE  
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 Tuesday the fourteenth day of May 1996, 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 6 May 1996

(L.S.)

R. E. MCGARVIE  
Governor

By His Excellency's Command,

J. G. KENNETT  
Premier

- 4 **WRIT**—The Clerk announced that a Writ issued under the hand of His Excellency the Governor on 5 March 1996 for the election of Members to serve in the Legislative Assembly of Victoria had been received from His Excellency, and that by the returns endorsed on the Writ it appeared that the following Members were duly elected for the districts set opposite their respective names, viz:

Albert Park	Johnstone William Thwaites
Altona	Lynne Janice Kosky
Ballarat East	Barry Edward Traynor
Ballarat West	Geoffrey Paul Jenkins
Bayswater	Gordon Wetzels Ashley
Bellarine	Garry Howard Spry
Benalla	Patrick McNamara
Benambra	Antony Fulton Plowman
Bendigo East	Michael John
Bendigo West	Robert Graham Cameron
Bennettswood	Geoffrey Charles Coleman
Bentleigh	Inga Peulich
Berwick	Robert Logan Dean
Box Hill	Robert William Clark
Brighton	Alan Robert Stockdale
Broadmeadows	John Mansfield Brumby
Bulleen	David John Perrin
Bundoora	Sherryl Maree Garbutt
Burwood	Jeffrey Gibb Kennett
Carrum	David Richard Lean
Caulfield	Helen Jean Shardey
Clayton	Hong Lim
Coburg	Carlo Carli
Cranbourne	Gary James Rowe
Dandenong	John Pandazopoulos
Dandenong North	Jan Wilson
Doncaster	Victor John Perton
Dromana	Martin Francis Dixon
Eltham	Wayne Phillips

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Essendon	Judith Marilyn Maddigan
Evelyn	Sidney James Plowman
Footscray	Bruce Allan Milderhall
Forest Hill	John Ingles Richardson
Frankston	Andrea Lea McCall
Frankston East	Frederick Peter McLellan
Geelong	Ann Mary Henderson
Geelong North	Peter James Loney
Gippsland East	David Lewis Treasure
Gippsland South	Peter Julian Ryan
Gippsland West	Alan John Brown
Gisborne	Thomas Carter Reynolds
Glen Waverley	Ernest Ross Smith
Hawthorn	Phillip Archibald Gude
Ivanhoe	Craig Anthony Cuffe Langdon
Keilor	George Seitz
Kew	Jan Louise Murray Wade
Knox	Hurtle Reginald Lupton
Malvern	Robert Keith Bennett Doyle
Melbourne	Neil Donald Cole
Melton	David James Cunningham
Mildura	Russell Irwin Savage
Mill Park	Alex Andrianopoulos
Mitcham	Roger Pescott
Monbulk	Stephen James McArthur
Mooroolbark	Lorraine Clare Elliott
Mordialloc	Geoffrey Graeme Leigh
Mornington	Robert Fitzgerald Cooper
Morwell	Keith Graeme Hamilton
Murray Valley	Kenneth Stephen Jasper
Narracan	Florian Andrighetto
Niddrie	Rob Justin Hulls
Northcote	Anthony John Sheehan
Oakleigh	Denise Frances McGill
Pakenham	Robert Roy Cameron Maclellan
Pascoe Vale	Christine Mary Campbell
Polwarth	Ian Winton Smith
Portland	Denis Vincent Napthine
Prahran	Leonie Therese Burke
Preston	Michael Andrew Leighton
Richmond	Demetri Dollis
Ripon	Stephen Noel Elder
Rodney	Noel John Maughan
Sandringham	Murray Hamilton Thompson
Seymour	Marie Therese Tehan
Shepparton	Donald Kilgour
South Barwon	Alister Irvine Paterson
Springvale	Edward Joseph Micallef
Sunshine	Ian Malcolm John Baker
Swan Hill	Barry Edward Hector Steggall
Thomastown	Peter Batchelor
Tullamarine	Bernard Thomas C. Finn
Wantirna	Kimberley Arthur Wells

Warrandyte	Phillip Neville Honeywood
Warrnambool	John Francis McGrath
Werribee	Mary Jane Douglas
Williamstown	Stephen Philip Bracks
Wimmera	William Desmond McGrath
Yan Yean	Andre Haermeyer

- 5 **MEMBERS SWORN** - The Members whose names are aforementioned took and subscribed the Oath or Affirmation as required by law, except Patrick McNamara and Barry Edward Hector Steggall (who were not then present).

The Commissioner then retired from the House.

- 6 **ELECTION OF SPEAKER** - Mr Plowman (*Benambra*), addressing himself to the Clerk, proposed to the House for their Speaker, Sidney James Plowman, and moved, That Sidney James Plowman do take the Chair of this House as Speaker, which motion was seconded by Mr McArthur.

Mr Plowman (*Evelyn*) accepted nomination.

And no other Member being proposed, the Clerk thereupon declared that Sidney James Plowman had been duly elected as Speaker.

Mr Plowman (*Evelyn*) was then taken out of his place by Mr Plowman (*Benambra*) and Mr McArthur and conducted to the Chair, where, standing upon the upper step, he returned his acknowledgment to the House for the great honour it had been pleased to confer upon him by choosing him to be its Speaker, and thereupon he sat down in the Chair; and then the Mace (which before lay under the Table) was laid upon the Table.

Then Mr Kennett, Mr Brumby, Mr McGrath (*Wimmera*), and Mr Dollis congratulated Mr Speaker.

- 7 **MR SPEAKER** left the Chair at 11.57 a.m. and resumed the Chair at 2.32 p.m. and read the Prayer.

- 8 **PRESENTATION OF THE SPEAKER** - Mr Speaker reported that he had, that day, proceeded to the Library, Parliament House, and that he had presented himself to His Excellency the Governor as the choice of the Legislative Assembly, and that His Excellency had been pleased to address him in the following terms:

Mr 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 including a previous period as Speaker from 1979 to 1982, is recognised by Members of the Legislative Assembly who in their wisdom have selected you as Speaker.

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

R.E. McGARVIE  
Governor of Victoria

Melbourne 14 May, 1996

- 9 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR**—The following Message was delivered by the Usher of the Black Rod:

Mr Speaker:

His Excellency the Governor desires the immediate attendance of the Members of the Legislative Assembly in the Legislative Council Chamber.

Accordingly, Mr Speaker with the House went to attend His Excellency—And having returned—

[Mr Speaker left the Chair at 3.12 p.m. and resumed the Chair at 5.05 p.m.]

- 10 **DEATH OF LESLIE VICTOR SHILTON, ESQUIRE, RONALD GRAHAM HENRY McALISTER, ESQUIRE AND THE HONOURABLE SIR KENNETH HENRY WHEELER** - Motion made and question -

- 1 That this House expresses its sincere sorrow at the death of Leslie Victor Shilton, Esquire 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 Midlands from 1970 to 1973.
- 2 That this House expresses its sincere sorrow at the death of Ronald Graham Henry McAlister, Esquire 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 Brunswick East from 1975 to 1976.
- 3 That this House expresses its sincere sorrow at the death of the Honourable Sir Kenneth Henry Wheeler 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 Essendon from 1958 to 1979 and Speaker from 1973 to 1979.

(*Mr Kennett*) - put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.

- 11 **ADJOURNMENT** - Motion made and question - That, as a further mark of respect to the memories of the late Leslie Victor Shilton, Esquire, Ronald Graham Henry McAlister, Esquire and the Honourable Sir Kenneth Henry Wheeler, the House do now adjourn until 8.00 p.m. this day (*Mr Kennett*) - put and agreed to.

And the House, at 6.18 p.m. adjourned until 8.00 p.m. this day.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

**No. 2 - Tuesday, 14 May 1996**  
(8.00 P.M.)

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair.

- 2 **COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS**—Mr Speaker announced that he had received from His Excellency the Governor the following Commission:

BY HIS EXCELLENCY RICHARD E. McGARVIE, A.C.  
GOVERNOR OF VICTORIA —

TO THE HONOURABLE SIDNEY JAMES PLOWMAN, 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 Members of the Legislative Assembly who have 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 14 May 1996.

(L. S.)

R. E. McGARVIE  
Governor

By His Excellency's Command,

J. G. KENNETT  
Premier

- 3 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 4 **PRINTED MATTER AND CLASSIFICATION GUIDELINES** - Motion made, by leave, and question - That there be presented to this House a copy of - (a) Printed Matter Classification Guidelines; (b) Guidelines for the Classification of Films and Videotapes; (c) Guidelines for the Classification of Computer Games; (d) National Classification Code (Amendment) (No. 1); and (e) Agreement between the Commonwealth and States relating to a revised co-operative legislative scheme for censorship in Australia (*Mrs Wade*) - put and agreed to.
- 5 **PAPER** - Mrs Wade presented:  
(a) Printed Matter Classification Guidelines; (b) Guidelines for the Classification of Films and Videotapes; (c) Guidelines for the Classification of Computer Games; (d) National Classification Code (Amendment) (No. 1); and (e) Agreement between the Commonwealth and States relating to a revised co-operative legislative scheme for censorship in Australia - Return to the foregoing Order.
- Ordered to lie on the Table.
- 6 **COMMUNITY DEVELOPMENT COMMITTEE REPORT** - Motion made, by leave, and question - That there be presented to this House a copy of the Community Development Committee's Report upon the Inquiry into the Practice of Immobilising and Removing Trespassing Vehicles on Private Property, together with Appendices and Minutes of Evidence (*Mr Gude*) - put and agreed to.
- 7 **PAPER** - Mr Gude presented:  
Community Development Committee Report upon the Inquiry into the Practice of Immobilising and Removing Trespassing Vehicles on Private Property - Return to the foregoing Order.

Ordered to lie on the Table and the Report and Appendices to be printed.

8 **DRUG ADVISORY COUNCIL REPORT** - Motion made, by leave, and question - That there be presented to this House a copy of the Report and Highlights Summary of the Drug Advisory Council "Drugs and Our Community", March 1996. (*Mr Gude*) - put and agreed to.

9 **PAPER** - Mr Gude presented:

Report and Highlights Summary of the Drug Advisory Council "Drugs and Our Community", March 1996 - Return to the foregoing Order.

Ordered to lie on the Table.

10 **PAPERS** -

Mrs Wade presented by Command of His Excellency the Governor:

County Court of Victoria - Report for the year 1994-95

Ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Albury-Wodonga Development Corporation - Report for the year 1994-95 (incorporates the Reports of the Albury-Wodonga (Victoria) Corporation and the Albury-Wodonga (New South Wales) Corporation

Anti-Cancer Council - Report for the year 1994-95

Bacchus Marsh Shire Council Water and Waste Water Functions - Report for the year ended 30 September 1994, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefore

Ballarat School of Mines and Industries - Report for the year 1995

Barton Institute of TAFE - Report for the year 1995

Barwon Region Water Authority - Report for the year 1994-95

Bendigo Regional Institute of TAFE - Report for the year 1995

Box Hill Institute of TAFE - Report for the year 1995

Broken River Management Board - Report for the year 1994-95, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefore

Building Act 1993 - Building Code of Australia 1990 - Amendment No. 9 (two papers)

Casey Institute of TAFE - Report for the year 1995

Central Gippsland College of TAFE - Report for the year 1995 (five papers)

Central Highlands Region Water Authority - Report for the year 1994-95, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefore

Central Wellington Health Service - Report for the year 1994-95

Cobram Shire Council Water and Waste Water Functions - Report for the year 1993-94, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefore

Dental Board (includes the Specialist Practitioners Qualifications Committee) - Report for the year ended 30 September 1995

Drugs, Poisons and Controlled Substances Act 1981 - Documents pursuant to section 12H(1) -

Poisons Code - Standard for the Uniform Scheduling of Drugs and Poisons No. 10, Amendment No. 1 and Notice regarding the amendment, commencement and availability of the Poisons Code (three papers)

Poisons Code - Amendment No. 2 to the Standard for the Uniform Scheduling of Drugs and Poisons No. 10, and Notice regarding the amendment, commencement and availability of the Poisons Code (two papers)

East Gippsland Institute of TAFE - Report for the year 1995

Euroa Nagambie Regional Water Authority - Report for the year 1994

Financial Management Act 1994 - Notification from the Minister for Health on the failure of the following Public Bodies to submit their 1995 annual report and the reasons therefore:

Corangamite Regional Hospital Services (includes Camperdown District Hospital and Lismore and District Hospital)

Macarthur and District Memorial Hospital (to 30 April 1995)

Western Highlands Health Service (includes Creswick District Hospital and Daylesford District Hospital)

Nhill Hospital

Austin and Repatriation Medical Centre (includes Austin Spinal and Heidelberg Hospital (Incorporating Heidelberg Repatriation Hospital))

Mornington Peninsula Hospital

Alexandra and District Ambulance Service

Financial Management Act 1994 - Report of the Minister for Tertiary Education and Training advising that he had received the 1995 Annual Report of the Driver Education Centre of Australia Ltd. (DECA) pursuant to section 53A (6)

Gippsland Rural Water - Report for the year 1994-95

Glenelg Region Water Authority - Report for the year 1994-95, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefore

Gordon Institute of TAFE - Report for the year 1995

Goulburn Valley Institute of TAFE - Report for the year 1995

Goulburn Valley Region Water Authority - Report for the year 1994-95, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefore

Government Employee Housing Authority - Report for the period 1 July 1994 to 29 February 1996

Grain Elevators Board - Report for the period ended 31 December 1995

Harness Racing Board - Report for the year 1994-95, together with notification from the Minister for Sport of the failure to submit the annual report and the reasons therefore

Holmesglen College of TAFE - Report for the year 1995

Infertility (Medical Procedures) Act 1984 - Report for the year 1994-95 by the Secretary, Department of Health and Community Services to the Minister for Health pursuant to section 22(4)

John Batman Institute of TAFE - Report for the year 1995

Kangan Institute of TAFE - Report for the year 1995

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- Kiewa Murray Region Water Authority - Report for the year 1994-95, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefore
- Latrobe Regional Commission - Report for the period ended 15 August 1995 (*in lieu of Report previously tabled*)
- Local Authorities Superannuation Scheme - Report on the Actuarial Investigation for the year 1994-95
- Lower Murray Region Water Authority - Report for the period ended 30 June 1995, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefore
- Macarthur and District Community Outreach Service - Report for the year 1994-95 (incorporating Macarthur and District Memorial Hospital up to 30 April 1995) (two papers)
- Martial Arts Board - Report for the year 1994-95, together with notification from the Minister for Sport of failure to submit annual report and the reasons therefore
- Medical Practitioners Board - Report for the period ended 30 September 1995
- Melbourne City Link Act 1995 - Notification from the Minister for Planning and Local Government of the following Agreements which amend the Melbourne City Link Agreement:
- Deed amending the Master Security Deed (dated 20 February 1996)
  - Deed amending the Concession Deed (dated 20 February 1996) and explanatory notes
- Melbourne Institute of Textiles - Report for the year 1995
- Mornington Peninsula Hospital - Report for the year 1994-95 (five papers)
- National Tennis Centre Trust - Report for the year 1994-95
- Northern Melbourne Institute of TAFE - Report for the year 1995
- Numurkah Shire Council Water and Waste Water Functions - Report for the year 1993-94, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefore
- Ombudsman and Deputy Ombudsman (Police Complaints) - Report for the year 1994-95 - Ordered to be printed
- Outer Eastern College of TAFE - Report for the year 1995
- Ovens Region Water Authority - Report for the year 1994-95, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefore
- Ovens River Management Board - Report for the year 1994-95, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefore

Parliamentary Committees Act 1968 -

Response of the Minister for Police and Emergency Services on action taken with respect to the recommendations made by the Crime Prevention Committee's Inquiry into Sexual Offences Against Children and Adults - "Combating Child Sexual Assault: An Integrated Model"

Supplementary Response of the Treasurer on action taken with respect to the recommendations made by the Public Accounts and Estimates Committee's Interim Report on the State's Budget and Financial Management Framework

Response of the Treasurer on action taken with respect to the recommendations made by the Public Accounts and Estimates Committee's Final Report on the 1993-94 Budget Estimates and Outcomes

Response of the Minister for Fair Trading on the action taken with respect to the recommendations made by the Law Reform Committee's three Reports entitled "Curbing the Phoenix Company"

Peninsula Institute of TAFE - Report for the year 1995

Peter MacCallum Cancer Institute - Report for the year 1994-95

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

- Alberton Planning Scheme - Nos. L39, L43
- All Planning Schemes - Nos. S41, S52, S53, S57, S58, S59, SL2
- Altona Planning Scheme - No. L44
- Ararat Planning Scheme - No. L2
- Bacchus Marsh Planning Scheme - Nos. L48 Part 1, L52
- Ballan Planning Scheme - No. L14
- Ballarat Planning Scheme - No. L5
- Ballarat Planning Scheme Consolidation Amendment
- Banyule Amalgamation Amendment
- Banyule Planning Scheme - No. RL170
- Bass Planning Scheme - Nos. L41, L43
- Beechworth Planning Scheme - No. L28
- Belfast Planning Scheme - No. L4
- Benalla (City) Planning Scheme - No. L33
- Berwick Planning Scheme - Nos. L74, L75, L91 Part 2, L101, L102, L105
- Boroondara Planning Scheme - Nos. L2, L3 Part 1, L6, L9, L11, L15
- Bright Planning Scheme - Nos. L43, L44
- Brighton Planning Scheme - Nos. L26, L28, L29
- Brimbank Planning Scheme - Nos. L3, L5, L10, L12, L14, L16
- Broadford Planning Scheme - No. L14
- Broadmeadows Planning Scheme - Nos. L69, L73
- Bulla Planning Scheme - Nos. L78, L114
- Campaspe Planning Scheme - Nos. L4, L7, L8
- Castlemaine Planning Scheme - Nos. L14, L18
- Caulfield Planning Scheme - Nos. L33, L37
- Charlton Planning Scheme Consolidation Amendment
- Colac Otway Planning Scheme - No. L7
- Corangamite Planning Scheme - No. L4
- Cranbourne Planning Scheme - Nos. L24, L100 Part 2, L118, L131, L162, L171
- Creswick Planning Scheme - No. L4
- Croydon Planning Scheme - Nos. L66 Part 2, L73
- Dandenong Planning Scheme - No. L45

Darebin Planning Scheme - Nos. L1, L3, L8, L20, RL170  
 Delatite Amalgamation Amendment  
 Diamond Valley Planning Scheme - Nos. L60, L61, L62, L63  
 Doncaster and Templestowe Planning Scheme - Nos. L52, L77, L82, L99, L101,  
 L102, L103, L104, L106  
 Eltham Planning Scheme - Nos. L45, L51, L52  
 Essendon Planning Scheme - No. L62  
 Flinders Planning Scheme - Nos. L109, L127, L136  
 Frankston Planning Scheme - Nos. L71, L72  
 French Island Planning Scheme - No. L8  
 Greater Bendigo Planning Scheme - Nos. L7, L19, L20, L27, L28, L33, L41, L44, L45,  
 L46  
 Greater Geelong Planning Scheme - Nos. L137, R92, R103, R115 Part 2, R118 Part 2,  
 R129, R131, R132, R134 Part 1, R138, R140, R144, R145, R146, RL135  
 Healesville Planning Scheme - Nos. L61, L62, R15  
 Heidelberg Planning Scheme - No. L74  
 Heywood Planning Scheme - No. L13  
 Horsham (Rural City) Planning Scheme - Nos. L1, L2, L3, L6  
 Hume Amalgamation Amendment  
 Keilor Planning Scheme - Nos. L82, L100  
 Kingston Amalgamation Amendment  
 Kingston Planning Scheme - Nos. L1, L6  
 Knox Planning Scheme - Nos. L88, L94, L95, L97, L98, L99, L103  
 Lillydale Planning Scheme - Nos. L151, L155, L157, L159, L164, L166, R15  
 Macedon Ranges Planning Scheme - Nos. L26, L39  
 Maribyrnong Planning Scheme - Nos. L4, L10, L11, L13  
 Melbourne Planning Scheme - Nos. L1, L196, L199, L203, L204, L205, L207, L208,  
 L210, L211, L214  
 Melton Planning Scheme - Nos. L43, L65  
 Metropolitan Region Planning Schemes - No. RL168  
 Milawa Planning Scheme - Nos. L4, L6, L7  
 Mildura (City) Planning Scheme - No. L50  
 Mildura (Shire) Planning Scheme - Nos. L35, L37  
 Mirboo Planning Scheme - No. L13  
 Mitchell Planning Scheme - Nos. L2, L9, L10, L73  
 Moonee Valley Amalgamation Amendment  
 Moonee Valley Planning Scheme - No. L6  
 Moorabbin Planning Scheme - Nos. L36, L54, L56  
 Mordialloc Planning Scheme - Nos. L14, L15, L16  
 Moreland Planning Scheme - Nos. L7, L11, L12, L18  
 Mornington Planning Scheme - Nos. L48 Part 1, L51, L58, L63  
 Mortlake Planning Scheme - No. L5  
 Morwell Planning Scheme - Nos. L41 Part B, L50, L51, L52, L53  
 Narracan Planning Scheme - Nos. L35 Part 2, L50, L52  
 Nunawading Planning Scheme - No. L79  
 Oakleigh Planning Scheme - Nos. L42, L45, L50  
 Pakenham Planning Scheme - Nos. L86 Part 1, L97, L101, L102, L106, L109, L116,  
 L118  
 Port Fairy Planning Scheme - Nos. L13 Part 2, L14  
 Port of Melbourne Planning Scheme - No. L15  
 Port Phillip Planning Scheme - Nos. L9, L15, L17, RL169  
 Portland City Planning Scheme - No. L40  
 Ringwood Planning Scheme - Nos. L38, L39, L40, L48

- Rodney Planning Scheme - No. L86  
 Rosedale Planning Scheme - No. L37  
 Sale Planning Scheme - No. L29  
 Sandringham Planning Scheme - No. L18  
 Shepparton Shire Planning Scheme - No. L74  
 Sherbrooke Planning Scheme - Nos. L83, L88, L92, L96, L99, L101, L111, L113, L118, R15  
 South Gippsland Planning Scheme - No. L31  
 Springvale Planning Scheme - Nos. L86, L90, L91, L94  
 Stawell (City) Planning Scheme - No. L30  
 Stawell (Shire) Planning Scheme - No. L9 Part 1  
 Stonnington Planning Scheme - Nos. L3, L6, L9, L12  
 Surf Coast Planning Scheme - Nos. L35, R27, R34, R37, RL33  
 Swan Hill (City) Planning Scheme - Nos. L20, L21  
 Tallangatta Planning Scheme - No. L7  
 Tambo Planning Scheme - No. L65  
 Traralgon (City) Planning Scheme - Nos. L51, L52, L55, L57, L61, L62  
 Traralgon (Shire) Planning Scheme - No. L52  
 Upper Yarra Planning Scheme - Nos. L33, L41, L50, L51, L52, L54, R15  
 Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan Amendment  
 Nos. 82, 83, 84, 85, 86, 87, 88, 89, 90  
 Warragul Planning Scheme - Nos. L40, L46, L47, L49  
 Warrnambool Planning Scheme - Nos. L2, L15, L16  
 Warrnambool (Shire) Planning Scheme - Nos. L11 Part 2, L11 Part 3, L12  
 Waverley Planning Scheme Consolidation Amendment  
 Werribee Planning Scheme - Nos. L77, L84, L89, L95, L97  
 Whittlesea Planning Scheme - Nos. L111, L120, L122, L125, L126  
 Williamstown Planning Scheme - No. L37  
 Wodonga Amalgamation Amendment  
 Wodonga Planning Scheme - No. L72  
 Wodonga Rural City Planning Scheme - No. L4  
 Woorayl Planning Scheme - No. L48  
 Yackandandah Planning Scheme - No. L28  
 Yallourn Works Area Planning Scheme - No. L2  
 Yarra Planning Scheme - Nos. L3, L17, L19
- Prince Henry's Institute of Medical Research - Report for the year 1995
- Rural Finance Act 1988 - Direction by the Treasurer to the Rural Finance Corporation to establish, operate and administer a scheme of assistance for persons carrying on farming who have been affected by drought
- South Gippsland Region Water Authority - Report for the year 1994-95, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefore
- South West Institute of TAFE - Report for the year 1995
- Statutory Rules under the following Acts:
- Adoption Act 1984 - S.R. No. 168
  - Australian Grand Prix Act 1994 - S.R. No. 196
  - Casino Control Act 1991 - S.R. No. 144
  - Chiropractors and Osteopaths Act 1978 - S.R. No. 160
  - Conservation, Forests and Lands Act 1987 - S.R. No. 159
  - County Court Act 1958 - S.R. Nos. 146, 169
  - Country Fire Authority Act 1958 - S.R. No. 188

- Dangerous Goods Act 1985 - S.R. Nos. 181, 182, 183  
 Dentists Act 1972 - S.R. No. 161  
 Equal Opportunity Act 1995 - S.R. No. 158  
 Estate Agents Act 1980 - S.R. No. 179  
 Firearms Act 1958 - S.R. No. 153  
 Food Act 1984 - S.R. No. 162  
 Gaming Machine Control Act 1991 - S.R. No. 145  
 Gas Industry Act 1994 - S.R. No. 178  
 Health Act 1958 - S.R. No. 163  
 Land Tax Act 1958 - S.R. No. 166  
 Livestock Disease Control Act 1994 - S.R. No. 170  
 Local Government Act 1989 - S.R. No. 164  
 Magistrates' Court Act 1989 - S.R. Nos. 149, 152, 172  
 Metropolitan Fire Brigades Act 1958 - S.R. No. 187  
 Mineral Resources Development Act 1990 - S.R. Nos. 143, 173, 174, 175  
 Occupational Health and Safety Act 1985 - S.R. Nos. 184, 185  
 Petroleum Act 1958 - S.R. No. 176  
 Pharmacists Act 1974 - S.R. No. 147  
 Physiotherapists Act 1978 - S.R. No. 148  
 Pipelines Act 1967 - S.R. No. 177  
 Prevention of Cruelty to Animals Act 1986 - S.R. No. 171  
 Psychologists Registration Act 1987 - S.R. No. 180  
 Road Safety Act 1986 - S.R. Nos. 154, 190, 192, 193  
 Stamps Act 1958 - S.R. No. 197  
 Subordinate Legislation Act 1994 - S.R. No. 165  
 Supreme Court Act 1986 - S.R. Nos. 150, 155, 156, 167, 168  
 Tertiary Education Act 1993 - S.R. No. 195  
 Trade Measurement Act 1995 - S.R. No. 194  
 Trade Measurement (Administration) Act 1995 - S.R. No. 194  
 Transport Act 1983 - S.R. Nos. 189, 191  
 Vegetation and Vine Diseases Act 1958 - S.R. No. 157  
 Veterinary Surgeons Act 1958 - S.R. No. 151  
 Water Industry Act 1994 - S.R. No. 186
- Subordinate Legislation Act 1994 -
- Ministers' exemption certificates in relation to Statutory Rule Nos. 144, 145, 159, 162, 163, 171, 189, 195, 196, 197
  - Ministers' exception certificates in relation to Statutory Rule Nos. 146, 147, 148, 149, 155, 156, 157, 158, 160, 161, 165, 166, 167, 168, 169, 173, 174, 175, 176, 177, 181, 182, 183, 184, 185, 187, 188
- Sunraysia Institute of TAFE - Report for the year 1995  
 Transport Act 1983 - Order for transfer of assets and liabilities pursuant to section 81  
 United Energy Ltd - Report for the period ended 30 June 1995  
 Upper Yarra Valley and Dandenong Ranges Authority - Report for the year 1994-95  
 Victoria Law Foundation - Report for the year ended 30 September 1995  
 Victorian Casino and Gaming Authority - Report for the year 1994-95 (*in lieu of Report previously tabled*)  
 Victorian Dried Fruits Board - Report for the period ended 30 June 1995  
 Wangarratta College of TAFE - Report for the year 1995

Western Highlands Health Service (includes Daylesford District Hospital and Creswick District Hospital) - Report for the year 1994-95 (two papers)

Western Metropolitan College of TAFE - Report for the year 1995

Wildlife Act 1975 - Wildlife (Closure of Areas to Hunting) Notice No. 1 1996

William Angliss Institute of TAFE - Report for the year 1995

Wimmera Institute of TAFE - Report for the year 1995

Wodonga College of TAFE - Report for the year 1995

Yarrawonga Shire Council Water and Waste Water Functions - Report for the year 1993-94, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefore.

- 11 **PRIVILEGE BILL - INTERPRETATION OF LEGISLATION (AMENDMENT) BILL -** Mr Kennett, pursuant to a motion moved on his behalf by Mr Gude, obtained leave, with Mr Stockdale "to bring in a Bill to amend the 'Interpretation of Legislation Act 1984' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 12 **HIS EXCELLENCY THE GOVERNOR'S SPEECH -** Mr Speaker reported that the House had, that day, attended His Excellency the Governor in the Legislative Council Chamber, when His Excellency was pleased to make a Speech to both Houses of Parliament, which speech was as follows:

*Mr President and Honourable Members of the Legislative Council:  
Mr Speaker and Members of the Legislative Assembly*

The March election overwhelmingly supported the return of the Coalition of the Liberal and National Parties. Consequently, I called upon the Coalition parties to form a Government.

The leader of the Liberal Party, Mr Kennett, was offered and given the commission to govern.

The mandate provided again to my Government was accepted with enthusiasm and responsibility.

I have called you together today for the first session of the Fifty Third Parliament to outline the policy directions for the new Government and matters of importance to the people of Victoria.

The sitting of this Parliament heralds the beginning of the second half of the Government's program throughout the 1990s to create the framework and competitive environment for Victorians to command the opportunities of the 21st century.

The next four years will be markedly different from the first term. The Government will build on the enormous achievement of the past three and a half years in reforming government itself, restoring Victoria's economy and raising its economic profile within Australia and globally, and increasing the confidence and pride of its people.

The Government's priority objective is to position Victoria for self-sustaining growth in business and employment throughout the first half of the 21st century. Only in this way are we able to provide the foundation for a mature society, which is able to offer security, care and fulfilment.

In this term, we will all reap some of the rewards for the changes we have made and the difficult times we have endured since Victoria foundered in the early 1990s. Accepting that it has an ongoing responsibility for prudent public and economic management, my

Government will place emphasis on the family and individual needs of Victorians and the quality of Victoria's lifestyle.

This is a task that presents new challenges, and is one in which complacency can have no part. We must continue, as Victorians, to dare to achieve and to set the example of leadership. Our agenda must be ingrained with the capacity to reach beyond our own boundaries, to plan for the long term and keep pace with a changing world. It must seek out the best means of maintaining the fundamentally harmonious mould of our society and delivering quality services which are attuned to the needs of modern families.

One of the great strengths of our society in Victoria lies in its cultural diversity. The Government's program for its second term recognises the way in which our many multicultural communities, and the contribution and cultural heritage of our Aboriginal community, enrich our society and broaden its outlook. It is committed to ensure all citizens of Victoria enjoy the same opportunities for advancement, reward and security, and will embrace the diversity of Victoria's society in its global management strategy.

Similarly, the Government fully appreciates the major economic contribution of regional and rural Victoria and the special nature of country communities and the issues they face. The Government will strengthen its Rural Victoria 2001 strategy under which all ministers, departments and agencies are required to develop ongoing initiatives that contribute to the future of country Victoria.

These will be Victoria's founding principles as we enter the 21st century. Far from resting on its laurels, my Government will apply a fresh approach to its duty of management and care. It will seek out new opportunities and seek to extend the bounds of achievement for Victoria.

The financial management strategy pursued over the last three years is central to the State Government's efforts to rejuvenate Victoria and equip it to move confidently into the 21st century. With measures in place to address the immediate financial imperative of containing State debt, increasing attention is now being given to boosting infrastructure investment responsibly and lowering the burden of taxes and charges in order to improve Victoria's competitiveness.

A major endeavour of this second term will be to generate substantial tax relief as the first of the Government's longer term budget objectives designed to cement in place a sound financial and economic base for Victoria. Measures to ensure Victoria's regime of taxes and charges is competitive within both Australia and Asia Pacific will be determined over the coming year. Reduced taxation will derive from continuing improvement in the budgetary outcome, the application of new technology across government and more efficient delivery of services.

There will also be continuing emphasis on:

- reduction in State debt and debt servicing ratios to a level consistent with the restoration of Victoria's AAA rating; and
- ensuring Victoria has the infrastructure needed to attract new business and make the economy more productive.

The Government will continue to expand its capital works program to strengthen economic performance as well as provide new and upgraded public assets and institutions that will serve our community for the next 100 years and beyond. During the life of this Government Victorians will see substantial progress on the City Link freeway project; the beginning of private sector development of the world class Docklands precinct; construction of the new museum around the historic Royal Exhibition Building; the re-opening of the Regent theatre which will further affirm Melbourne's role as an international cultural capital; the renovation and enhancement of the National Gallery; the

creation of Federation Square on the site of the old Gas and Fuel towers which are currently being demolished; and commencement of work to complete the Parliament House.

Many of these projects are incorporated in the Government's Agenda 21 program and are central to the revitalisation of Victoria for the century ahead. We are revisiting the major undertakings - the visions - on which Victoria was built in the 19th century, and reshaping them for today's and future generations.

Many also reflect Melbourne's international renown as a centre of culture. The arts are at the very heart of Victoria's lifestyle, and will take an even higher profile in the coming years as the result of new building and redevelopment projects, the staging of more world class theatrical events and the increasing focus on high technology creativity through multimedia.

The Victorian economy has grown by just under 20% in nominal terms over the last three and a half years. Almost 150,000 new jobs have been created and over 10,000 small businesses have started up. The growth Victoria is now experiencing has been achieved through the establishment of a dynamic partnership between the Government, the bureaucracy and the people of Victoria. The common approach we have been fortunate to mould in this State is unique in Australia and is the motivation for the competitive culture which now thrives here.

This growth is now generating the resources necessary to take proper care of our community, improve people's quality of life and meet their aspirations. In this environment, we are much better able to focus on the particular needs of sectors of our society and, in doing so, enrich our society as a whole.

#### **Young Victorians**

In order to continue on the path of recovery and growth it is imperative that young Victorians receive the opportunities to develop and utilise their talents and skills. Their care, security, education, training and, finally, employment options are paramount in attaining this objective.

The Government is committed over this term to ensure our education system builds on the very real gains achieved since 1992, and will spend a total of \$1 billion improving the fabric of our schools. Education will focus on providing young people with a sound knowledge base and inspire them to the pursuit of excellence. It will be flexible and will equip them, in every sense, for their adult lives. One of the most important elements of this approach for the 21st century will be to equip them to adapt to change through an awareness of the way in which the world is changing, the nature of change in the workplace, and with a working knowledge of communications and information technology and multimedia. We will ensure they have the means to keep up to date and maintain the capacity for employability throughout their lives.

Emphasis will be placed on training for the workplace, improving accessibility to apprenticeships and significantly widening the opportunity for young people to undertake the VCE course in association with vocational education and training qualifications.

A wide range of community based services and programs will be introduced or strengthened in the coming years to extend the learning experience for young people, provide greater personal development opportunities and provide the alternative of entertainment venues which are free of alcohol and drugs. Youth and family services will be expanded, better integrated and better linked into local communities to provide the necessary support to young people in cases of family breakdown or personal crisis. Particular attention will be paid to addressing the tragedy of youth suicide.

## Women

The Coalition Government has been at the forefront of governments around Australia in elevating the status of women in the community and reducing inequality. A more flexible industrial relations system and improved access to relevant training has offered women the ability to balance work and family responsibilities much better.

During the last term the Coalition improved women's safety and their access to justice and legal assistance and enhanced the status of women through historic appointments in the public sector and within the judiciary.

In this term we will make women's health a priority through the development of a world leading initiative to combat breast cancer, and place increased emphasis on addressing domestic violence. An additional five women parliamentarians will ensure that this government remains committed to such programs.

The Government's \$100 million Strategy for Carers - to provide support to the many thousands of people who care unselfishly for relatives and friends who are elderly, disabled or ill - will be implemented from this year. The program for carers will provide home based respite care, at-home services for those who care for the elderly, and flexible respite options for carers of the disabled and those with acquired brain injury.

The strategy is integral to the provision of the best quality community services for Victorians.

This first session of Parliament will see the Government address the Report of the Premier's Drug Advisory Council, initially through an open debate involving the members of the Legislative Assembly on the Council's recommendations.

The Council has undertaken a most comprehensive examination of the problem of illicit drugs, drawing on our own community's experience as well as international knowledge and expertise.

Its report has raised many serious issues which have been the subject of broad ranging community debate over the past month. While illicit drugs are a devastating problem the world over, it is heartening to be part of this community endeavour to tackle the problem in Victoria.

The refocus of health care in Victoria will continue over the coming term with the primary objective of taking health care to people in their own communities.

Governments around the world are endeavouring to come to terms with pressures affecting health services because of their enormous cost, their structure which is outdated in many respects, and their delivery to people in need of care. My Government has moved to implement changes which come to terms with these issues and to establish a health system which is co-ordinated, efficient and readily available and which is capable of continuing to evolve to serve Victoria effectively into the future.

The development of health care networks in metropolitan Melbourne will continue, and an unprecedented \$600 million will be spent in the next four years to establish new services in growing communities, link hospitals and specialists with telemedicine networks and use these same networks to deliver specialist services to country centres.

Environmental protection and conservation of Victoria's natural assets are a vital community responsibility.

In Victoria we are committed to a natural resource management strategy which will deliver the optimal mix of short term and long term benefits and the best possible combination of economic, environmental and social outcomes.

We now face several challenges in terms of our natural environment including salinity, water quality and soil degradation. The Government has been addressing these threats with sustainable regional development initiatives, integrated catchment management programs, campaigns to promote sustainable practices in primary industry, conservation programs and measures to preserve biodiversity.

Programs like Salinity Management, Landcare, Coastwatch and Land for Wildlife owe their success to the effective partnerships established with communities.

As a major initiative, the Government will implement a dedicated strategy for the long term protection of Port Phillip Bay through measures to reduce the pressures of commercial fishing, enhance beaches around the bay and further improve water quality. It will be part of the first ever Victorian coastal strategy which is designed to preserve the marine environment and place due importance on our coastline as a major lifestyle asset.

Speedy and reliable access to data and ideas, and efficient communications between the Government, business and individuals are the preconditions for innovation and development in the information age.

Through its Victoria 21 high technology strategy, the Government is positioning Victoria to play a leading role in communications and multimedia development, products and services within Australia and Asia Pacific.

The Government has identified high technology as one of Victoria's major growth opportunities for the future and is advancing a program to put the entire State online by the year 2001. We are embarking on a major technology push because of its importance for business and employment growth and because it will give Victoria a key stake in an industry which will be a world leader over the course of the next century. A command of high technology will give the State a strong competitive advantage, and is also central to more efficient public administration and more effective service delivery.

The Government sees the availability of telecommunications as the fundamental infrastructure of the 21st century, just as the railways were a century ago. It is developing networks across the State to deliver Government services and information to people in their own homes and communities and to enable business, communities and individuals to use the network infrastructure.

The application of technology in this way will overcome the barrier of distance for Victorians. People in all corners of the State will be able to click onto the information superhighway within just a few years through Community Communications Centres, and will be provided with training to ensure they are able to make use of the technology.

We are thus grasping the challenges of the information age, and turning them to advantage for all Victorians.

My Government has exerted leadership in terms of its national responsibility - in its relationships with the other governments under the Federation, and their collective responsibility towards a competitive Australia. It is committed to economic and taxation reform as a means of maximising Australia's opportunities in its region. It will continue to be a leader in the move towards a more relevant Federation which better co-ordinates the use of the nation's resources and best serves Australians.

In its pursuit of new opportunities and growth, the Government will continue to market the State around the world to attract new investment and trade and promote the use of Victorian expertise.

The marketing advantages of the State's communications networks will be put to use to generate new business in country Victoria and to serve and inform country communities. In this way, technology will have substantially added benefits for businesses, farmers and residents away from Melbourne.

Our technological capacity will draw further development in its own field, as is being evidenced with the growth of the Ballarat Technology Park. This same technology, and the networks which provide its infrastructure, will be used to develop sophisticated international investment promotions for Victoria's world class food industry, for wool, resources and regional manufacturing.

The Government will continue working with Local Government throughout the suburbs and country Victoria to achieve greater efficiency through competitive tendering and to ensure we maintain the rate reductions and improved services achieved through the reform of councils.

The major legislation to be introduced this session of Parliament includes:

- Appropriation;
- Removal of the surcharge on WorkCover premiums;
- Establishment of the Parliament House Completion Authority;
- Changes to the structure and regulation of the legal profession;
- Establishment of the Victorian Managed Insurance Authority;
- Children's services; and
- Amendments to a variety of legislation covering child protection, employee relations, Office of the Regulator General, Docklands Authority and City Link, all with the intention of ensuring that such legislation remains pertinent, up-to-date and dynamic.

Parliament, as the supreme law giving body of the State, is requested to grant the essential early passage of the legislation put before it during this session to complete the task of establishing the foundation for dynamic growth in Victoria in the century ahead.

This is an exciting and challenging time to be at the helm of government in Victoria. The past three and a half years has shown it is possible to bring about a fundamental change in fortunes and outlook. Victoria is working all the better for the change. It is an outcome which reinforces the importance of presenting a vision for the future, and working as a community towards that vision. Ministers and all members should be mindful, however, of their ongoing responsibility to provide good government in the interests of all Victorians.

It is with deep regret I advise that since the Parliament was last opened, eleven former members have died: the Honourable Hayden Wilson Birrell, MLA for Geelong and Geelong West; the Honourable Sir Vernon Howard Colville Christie, MLA for Ivanhoe and Speaker of the House for several years; the Honourable Sir Raymond William Garrett, AFC, AEA, MLC for the seat of Southern and then Templestowe; the Honourable Geoffrey Phillip Hayes, MLA for Scoresby and then Wantirna who served as Minister for Planning and Minister of Housing; the Honourable Ronald Graham Henry McAlister, MLA for Brunswick; the Honourable Lawrence Alexander McArthur, MLC for Nunawading; the Honourable Sir William John Farquhar McDonald, MLA for Dundas who served as Speaker and variously as Minister of Lands, Soldier Settlement and Conservation; the Honourable Leslie Victor Shilton, MLA for Midlands; the Honourable Herbert Arthur Thomas, MLC for Melbourne West; the Honourable Morris Thomas Williams, MLA for Box Hill and then Doncaster; and the Honourable Sir Kenneth Wheeler, MLA for Essendon and Speaker of the House for several years.

I now formally open this Parliament and pray that the guidance of Almighty God may attend your deliberations.

14 May 1996

RICHARD E. McGARVIE, A.C.  
Governor of Victoria

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

Your Excellency:

We, the Legislative Assembly of Victoria assembled in Parliament, wish to express our Loyalty to our Sovereign, and to thank Your Excellency for the Speech which you have made to the Parliament (*Mr Dixon*) - and, after debate -

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

Ordered - That the debate be adjourned until tomorrow.

- 14 **ELECTION OF CHAIRMAN OF COMMITTEES** - Mr Kilgour proposed to the House for appointment as Chairman of Committees, John Francis McGrath, and moved, That John Francis McGrath be appointed Chairman of Committees of this House, which motion was seconded by Mr Treasure.

Mr McGrath (*Warrnambool*) accepted nomination.

And no other Member being proposed, the Speaker announced that John Francis McGrath had been duly elected as Chairman of Committees.

- 15 **OPERATION OF ACTS - PROCLAMATIONS** - Motion made, by leave and question - That this House authorises and requires the Clerk to lay on the Table copies of Proclamations of His Excellency the Governor in Council fixing dates for the coming into operation of Acts, as published in the *Government Gazette* from time to time (*Mr Gude*) - put and agreed to.

- 16 **DRUGS FORUM** - Motion made, by leave and question - That - (a) this House meets on Friday, 31 May 1996 at 9.00 am; and (b) this House invites Professor David Penington, AC, the Chairman of the Premier's Drug Advisory Council, to attend on the floor of the House and address the House on the recommendations of the Council's report in the Legislative Assembly Chamber on that day at 9.00 am; and (c) Standing Orders and Sessional Orders be suspended on that day to allow - (i) Professor David Penington, AC, the Chairman of the Premier's Drug Advisory Council, to attend on the floor of the House and address the House on the recommendations of the Council's report, after which the only proceedings on that day shall be a debate on the motion "That this House takes note of the Report of the Premier's Drug Advisory Council and the address of Professor David Penington, AC, the Chairman of the Premier's Drug Advisory Council"; and (ii) Mr Speaker to put the question at 6.00 pm (or sooner if there be no further debate); and (iii) the time limit for each member's speech to be 10 minutes; and (iv) no amendment to the motion to be accepted by Mr Speaker (*Mr Gude*) - put and agreed to.

- 17 **SESSIONAL ORDERS** - Motion made, by leave and question proposed - That -

1 Unless otherwise ordered, the House shall meet on Tuesday, Wednesday and Thursday, Mr Speaker to take the Chair at 2.00 p.m. on Tuesday and 10.00 a.m. on Wednesday and Thursday.

2 (1) During the present Session, Government Business shall take precedence of all other business (including motions pursuant to Standing Order No. 26 which is

hereby to the necessary extent suspended, but not including a motion of Want of Confidence in the Government) each Tuesday, Thursday and Friday and at 2.00 p.m. each Wednesday.

- (2) On Wednesdays, other than appointed Wednesdays pursuant to Sessional Order No. 4, business shall be called on in the following order:
    1. General Business - Notices of Motion
    2. General Business - Orders of the Day
    3. Oral Questions (*At 2.00 p.m.*)
    4. Government Business - Notices of Motion
    5. Government Business - Orders of the Day.
- 3 Notwithstanding Sessional Order No. 2 -
- (1) So much of Standing Order No. 124 as allows Members to ask oral questions without notice at the time of giving notices of motion be suspended and that Members ask oral questions without notice at 2.00 p.m. each sitting day (other than on a Tuesday where a motion expressing sorrow at the death of a Member or any other person may take precedence): Provided that these Sessional Orders shall not permit more than one question time each sitting day.
  - (2) At 2.00 p.m. on each sitting day (other than a Tuesday) Mr Speaker shall interrupt the business before the House, or if the House be in Committee, the Chairman shall report progress and Mr Speaker shall then interrupt such business: provided that in the event that a Division is in progress at 2.00 p.m. such Division shall be completed and the result announced and if such Division be upon a closure motion any question required to be brought to conclusion as a result of such Division shall be so brought to conclusion.
  - (3) Any business under discussion and not disposed of at 2.00 p.m shall be resumed immediately at the conclusion of the asking of oral questions and any Member speaking at the time of interruption may, upon the resumption of debate thereon, continue such speech.
- 4 (1) Standing Order No. 59 be suspended and, notwithstanding Sessional Order No. 2, the first Order of the Day on Wednesdays appointed by resolution of the House shall be the question "That grievances be noted", to which question any Member may speak for not more than fifteen minutes and the whole discussion on this question shall end at 2.00 p.m.
- (2) On those appointed Wednesdays, business shall be called on in the following order:
    1. Grievances
    2. Oral Questions (*At 2.00 p.m.*)
    3. Government Business
    4. General Business
- 5 Notwithstanding the right of a Minister to move a motion for the adjournment of the House pursuant to Standing Order No. 25 -
- (1) At 10.00 p.m. on each sitting day Mr Speaker shall interrupt the business before the House, or if the House be in Committee, the Chairman shall report progress and Mr Speaker shall then interrupt such business: provided that in the event that a Division is in progress at 10.00 p.m. such Division shall be completed and the result announced and if such Division be upon a closure motion any question required to be brought to conclusion as a result of such Division shall be so brought to conclusion.

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- (2) Upon such interruption of business -
    - (a) Before a motion for the adjournment is proposed by Mr Speaker, a Minister may move that the sitting be continued; which motion shall be put forthwith without amendment or debate and if such motion is agreed to, the House or Committee shall resume the proceedings at the point at which they had been interrupted; or
    - (b) If a Minister does not so move, Mr Speaker shall forthwith propose the question "That the House do now adjourn" which question shall be open to debate in accordance with the rules and practices of the House and paragraph (4); at the conclusion of the debate, Mr Speaker notwithstanding the provisions of Standing Order No. 24 shall adjourn the House without putting any question until the time of the next meeting.
  - (3) Any business under discussion and not disposed of at the time of the adjournment shall be set down on the Notice Paper for the next sitting and any Member speaking at the time of interruption may, upon the resumption of debate thereon, continue such speech.
  - (4) On the motion "That the House do now adjourn" the time available for the raising of matters on the motion be 30 minutes and the time limit per member be three minutes.
  - 6 (1) Standing Orders shall be suspended to allow for the programming of Government Business and the following procedures.
    - (2) Before the House meets for business in any week, the Leader of the House and the Deputy Leader of the Opposition (or their nominees) may meet as a Government Business Programming Committee with a view to reaching agreement on the manner in which the House is to deal with Government Business of the week.
    - (3) On the first day of the sitting week the Leader of the House or his nominee before the calling on of Government Business may move without leave a motion setting a date and time by which consideration of specified Bills or items of business have to be completed in that sitting week. Debate thereon shall not exceed thirty minutes and, in speaking thereon no Member shall exceed five minutes.
    - (4) At a change of business, following a special meeting of the Government Business Programming Committee convened in accordance with the aims of sub-paragraph (2), and without leave, the Leader of the House or his nominee may move a motion to amend the resolution under sub-paragraph (3). Debate thereon shall not exceed thirty minutes and, in speaking thereon no Member shall exceed five minutes. Any change to the programme cannot come into operation until one hour after the motion is agreed to.
    - (5) Amendments to be proposed in Committee of the Whole to a specified Bill may be circulated in the House during the debate on the question "That this Bill be now read a second time" after an announcement and request of a Minister or a Member (without leave but not when another Member is speaking) foreshadowing such amendments: Provided that these amendments are circulated two hours before the expiration of the completion time set under sub-paragraph (3). Such announcement and request shall not be debated.
    - (6) On the expiration of the completion time set under sub-paragraph (3), the Chair, in relation to a specified motion, shall put forthwith the question on any amendment and/or motion already proposed from the Chair for the purpose of bringing to a conclusion any proceedings on the motion.

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- (7) On the expiration of the completion time set under sub-paragraph (3), the Chair, in relation to a specified Bill, shall put forthwith the question on any amendment or motion already proposed from the Chair for the purpose of bringing to a conclusion any proceedings on the Bill and - (a) as required, the remaining questions necessary for the passage of the Bill through the House and transmission to the Legislative Council shall be combined (except in the case of a Bill that requires the second reading and third reading to be passed with an absolute majority of the whole number of the Members of the Legislative Assembly, the questions for the second and third readings shall be put separately), the Committee stage of a Bill being dispensed with if no Government amendments have been circulated pursuant to sub-paragraph (5); and (b) in the case of the consideration of any Bill in Committee of the Whole or on any of the remaining stages at that time, the Chair shall put a combined question or a number of questions (the form and number being at the discretion of the Chair) disposing of any clauses and schedules and any amendment and new clauses and schedules desired by the Government - copies of which have been circulated in the House pursuant to sub-paragraph (5) - and any other questions required to dispose of the Bill (as the case may be) before the Committee of the Whole or the House. (No other amendments, new clauses or schedules shall be proposed); and
- (8) After the House has concluded the proceedings under sub-paragraph (6) or (7), in the case of each remaining specified Bill or item of Government Business, the Chair shall -
- (i) in the case of a Bill, put in a combined question, as required, the questions necessary for the passage of the Bill through the House and transmission to the Legislative Council (including any amendments and new clauses and schedules desired by the Government which have been circulated pursuant to sub-paragraph (5)), the Committee stage being dispensed with; and
  - (ii) in the case of a Bill that requires the second reading and third reading to be passed with an absolute majority of the whole number of the Members of the Legislative Assembly, put separately the questions necessary for the passage of the Bill through the House and transmission to the Legislative Council, (including a combined question relating to any amendments and new clauses and schedules desired by the Government which have been circulated pursuant to sub-paragraph (5)), the Committee stage being dispensed with; and
  - (iii) in relation to any Bill being considered in the Committee of the Whole, put a combined question or a number of questions (the form and number being at the discretion of the Chair) disposing of any clauses and schedules and any amendment and new clauses and schedules desired by the Government - copies of which have been circulated in the House pursuant to sub-paragraph (5) - and any other questions required to dispose of the Bill (as the case may be) before the Committee of the Whole or the House. (No other amendments, new clauses or schedules shall be proposed); and
  - (iv) in the case of a remaining item of business other than a Bill, put a combined question (if required) which brings to a conclusion the proceedings.
- (9) If, on the expiration of the completion time set under sub-paragraph (3), the House or Committee is considering a non-specified motion or Bill, and there are specified motions or Bills to be completed, Mr Speaker shall interrupt the business before the House, or if the House be in Committee, the Chairman shall report

progress and Mr Speaker shall then interrupt such business: provided that in the event that a Division is in progress such Division shall be completed and the result announced and if such Division be upon a closure motion any question required to be brought to conclusion as a result of such Division shall be so brought to conclusion. The House shall then consider such motions or Bills as required by sub-paragraph (8). At the completion of such motions or Bills the House or Committee shall immediately resume the interrupted business and any Member speaking at the time of interruption may, upon the resumption of debate thereon, continue such speech.

- (10) The Chair shall not accept any points of order once the expiration of the completion time under sub-paragraph (3) has arrived and until all the required questions under sub-paragraph (6), (7) or (8) have been dealt with.
- (11) Standing and/or Sessional Orders relating to closure of debate or guillotine shall not apply to any proceedings in respect of a specified Bill or item of business.

(Mr Gude).

Amendments proposed -

1. That in sub-paragraph 2 (2) the words "other than appointed Wednesdays pursuant Sessional Order No. 4," be omitted.
2. That after sub-paragraph 3 (3) insert the following sub-paragraphs:
  - (4) That so much of the Standing Orders be suspended so as to allow the following to apply-
    - (a) a member may ask a question without notice from the time the Speaker calls for questions. Questions without notice may be asked for 1 hour on each sitting day. However, the Speaker may extend the time for Questions without notice at his or her discretion;
    - (b) the Speaker may require the language of a question to be changed if it seems to him or her that it is unbecoming or is in breach of the Standing Orders or conventions of the House;
    - (c) a member asking a question must not offer argument or an opinion on the matter; or give facts or names of persons, except those strictly necessary to explain the question;
    - (d) when a member gives facts or names, he or she is responsible for their accuracy. Where the matter is of sufficient importance, the Speaker may require prima facie proof of accuracy;
    - (e) in answering any question the Minister or member-
      - (i) must be directly relevant and responsive to the question; and
      - (ii) must be reasonably succinct; and
      - (iii) must not introduce matter extraneous to the question nor debate the matter to which the question relates; and
      - (iv) must comply with the same rules and practices as apply to the asking of questions;
    - (f) a Minister may decline to answer a question or part of a question -
      - (i) on the ground of public policy; or
      - (ii) if the Minister is unable to answer the question fully and accurately without notice and requests that the question or part of the question be placed upon the Notice Paper; or

- (iii) if the Minister informs the House that the question requires a more extensive answer than is appropriate to a question without notice and that it will be the subject of a Ministerial statement or announcement at an early opportunity.
3. That in sub-paragraph 4(1) all words and expressions after the expression "Sessional Order No. 2," to the end of the sub-paragraph be omitted and replaced with the following "on every third sitting Thursday after the opening of the session, the first Order of the Day is the question 'That grievances be noted'. A member may speak for not more than 15 minutes on that question. The whole discussion must not exceed 4 hours."
4. Omit sub-paragraph 4(2) and insert the following sub-paragraphs:
- "(2) After the question 'That grievances be noted' is carried, the Speaker may call on a Member (except a Minister) to make a statement for not more than 90 seconds. The total period provided for these statements must not exceed 15 minutes.
- (3) On every third sitting Thursday after the opening of the session, business shall be called on in the following order:
1. Grievances
  2. 90 second statements
  3. Oral Questions (at 2.00 p.m.)
  4. Government Business
  5. General Business".
5. That after sub-paragraph 5(4) insert the following sub-paragraph -
- "(5) The Speaker may extend the time allowed to a member on the motion 'That the House do now adjourn' but only if the Speaker is of the opinion that a member's rights have been unreasonably infringed."

(Mr Batchelor) - and, after debate -

And the House having continued to sit till after 12 midnight -

WEDNESDAY, 15 MAY 1996

Question - That the amendments be agreed to - put.

The House divided.

AYES, 26

Mr Andrianopoulos  
Mr Baker  
Mr Batchelor  
Mr Bracks  
Mr Brumby  
Mr Cameron  
Mr Campbell

Mr Carli  
Mr Cole  
Mr Cunningham  
Mr Dollis  
Ms Douglas  
Ms Garbutt  
Mr Haermeyer

Mr Hamilton  
Mr Hulls  
Ms Kosky  
Mr Langdon  
Mr Loney  
Mrs Maddigan  
Mr Micallef

Mr Mildenhall  
Mr Pandazopoulos  
Mr Thwaites  
*Tellers*  
Mr Lim  
Mr Seitz

NOES, 50

Mr Andrighetto	Mr Lean	Mr Perrin	Mr Thompson
Mr Ashley	Mr Leigh	Mr Pescott	Mr Treasure
Mr Brown	Mr Lupton	Mrs Peulich	Mrs Wade
Ms Burke	Mr McArthur	Mr Phillips	Mr Wells
Mr Clark	Ms McCall	Mr Plowman	
Mr Coleman	Mrs McGill	(Benambra)	
Mr Cooper	Mr McGrath	Mr Reynolds	
Dr Dean	(Warrnambool)	Mr Richardson	
Mr Doyle	Mr McGrath	Mr Rowe	
Mrs Elliott	(Wimmera)	Mr Ryan	
Mr Finn	Mr McLellan	Ms Shardey	
Mr Gude	(Frankston East)	Mr Smith	
Mr Honeywood	Mr Maclellan	(Glen Waverley)	
Mr Jasper	(Pakenham)	Mr Smith	
Mr Jenkins	Mr Maughan	(Polwarth)	Tellers
Mr John	Dr Napthine	Mr Spry	Mr Dixon
Mr Kilgour	Mr Paterson	Mrs Tehan	Mr Traynor

And so it passed in the negative.

Original question - put and agreed to.

- 18 **SELECT COMMITTEE DOCUMENTS** - Motion made, by leave, and question - That the resolution of the House of 17 August 1983 concerning the transfer of Select Committee documents be read and rescinded and that - (a) this House authorizes the transfer to the Public Record Office of all Select Committee records of the Legislative Assembly in excess of 4 years old which have not been tabled in the Parliament, subject to the condition that they remain the property of the Parliament; (b) subject to paragraph (d), access to such documents be granted only on the authority of the Speaker or his/her nominated delegates; (c) reproduction or publication of the whole or any part of the documents be permitted for educational, historical or research purposes subject to the approval of the Speaker and on such terms and conditions as he/she may determine; and (d) access to material presented to any Committee on a confidential basis not be permitted in respect of - (i) *in camera* evidence; (ii) personal records less than 75 years old; or (iii) all other material less than 30 years old (Mr Gude) - put and agreed to.
- 19 **APPOINTMENT OF COMMITTEES** - Motion made, by leave, and question - That
- Ms Campbell, Mr Finn, Mr Leigh, Mrs Peulich and Mr Seitz be members of the Community Development Committee.
  - Mr Haermeyer, Mr Kilgour, Mr Micallef, Mr Rowe, Mr Traynor and Mrs Wilson be members of the Crime Prevention Committee.
  - Mr Batchelor, Mr Jenkins, Mr Leighton, Mr Lim, Mrs McGill and Mr Treasure be members of the Economic Development Committee.
  - Ms Garbutt, Mr Lupton, Mrs Maddigan, Mr Pandazopoulos, Mr Perrin and Mr Spry be members of the Environment and Natural Resources Committee.
  - Mr Andrighetto, Mr Cole, Mr Loney, Mr Maughan, Mr Paterson, Mr Perton and Mr Thwaites be members of the Law Reform Committee.
  - Mr Bracks, Mr Hulls, Mr McArthur, Mr Sheehan, Mr Steggall and Mr Wells be members of the Public Accounts and Estimates Committee.

(g) Mr Baker, Mr Cunningham, Mr Langdon, Mr McLellan (*Frankston East*) and Mr Richardson be members of the Road Safety Committee.

(h) Mr Cameron, Mr Carli, Ms Gillett-Douglas, Mr Plowman (*Benambra*), Mr Ryan, and Mr Thompson be members of the Scrutiny of Acts and Regulations Committee.

(*Mr Gude*) - put and agreed to.

20 **STANDING ORDERS COMMITTEE AND PRIVILEGES COMMITTEE** - Motion made, by leave, and question -

That a Select Committee be appointed to inquire into and report upon complaints of breach of privilege referred to it by the House; such Committee to consist of Mr Cooper, Mr Hulls, Mr Maclellan (*Pakenham*), Mr Micallef, Mr Perton, Mr Ryan, Mr Sheehan, Mr Smith (*Glen Waverley*) and Mr Thwaites and that the Committee have power to send for persons, papers and records; to sit on days on which the House does not meet and to move from place to place; four to be the quorum.

That a Select Committee be appointed to consider and report upon the Standing Orders of the House, such Committee to consist of Mr Speaker, Mr Baker, Mr Batchelor, Mr Cunningham, Mr Jasper, Mr Leigh and Mr Richardson and that the Committee have leave to sit on days on which the House does not meet; five to be the quorum.

(*Mr Gude*) - put and agreed to.

21 **APPOINTMENT OF PARLIAMENTARY OFFICERS** - Mr Speaker informed the House that his predecessor nominated Mr Raymond William Purdey, the Assistant-Clerk and Clerk of Committees, to be Deputy-Clerk; Mr Marcus Leonard Bromley, the Serjeant-at-Arms, to be Assistant-Clerk and Clerk of Committees, and Mr Geoffrey Herbert Westcott, the Executive Officer of the Road Safety Committee to be Serjeant-at-Arms.

The Governor in Council has been pleased to make appointments in accordance with the said nominations.

22 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.

23 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.

And the House, at 1.43 a.m., adjourned until later this day.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 3 - Wednesday, 15 May 1996

1 Mr Speaker took the Chair and read the Prayer.

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

**Native Australian Animals or Birds** - Seeking that legislation be enacted which will prohibit the sale or use of any native Australian mammals, amphibians, reptiles and birds classified endangered, as domestic pets, bearing 2,945 signatures  
(by Mr Coleman)

**Residual Current Devices** - Seeking that all rented residential premises be required to be fitted with residual current devices, bearing 141 signatures (by Dr Dean)

**Concessions to low income earners** - Seeking that no reduction be made in concessions to low income earners for gas, electricity and water charges, bearing 681 signatures  
(by Mrs Wilson)

**Crown Casino Trading Hours** - Seeking that the Government take action to ensure that Crown Casino does not open on Christmas Day, Good Friday and Anzac Day (before 1.00 p.m.), bearing 273 signatures (by Mr Smith, Glen Waverley)

**Churchill North Primary School** - Seeking that the Mod 4 Portable Classroom be allowed to remain at Churchill North Primary School, bearing 177 signatures  
(by Mr Hamilton)

**Churchill Community Health Service** - Seeking that the Minister for Health guarantees that both medical and dental practitioners will be retained at Churchill Community Health Service, bearing 337 signatures (by Mr Hamilton).

Severally ordered to lie on the Table.

3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Auditor-General - Special Report No. 39 - Marketing government services: Are you being served? - Ordered to be printed

Parliamentary Committees Act 1968 - Response of the Minister for Conservation and Land Management on action taken with respect to the recommendations made by the Environment and Natural Resources Committee's Report on Problems in Victoria caused by Long-Billed Corellas, Sulphur-Crested Cockatoos and Galahs

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 - Sections 50, 51 and 78(3) on 20 December 1995 (*Gazette No. G49, 14 December 1995*)

Australian Grand Prix (Further Amendment) Act 1995 - Parts 2, 3A and 3 on 7 December 1995 (*Gazette No. G48, 7 December 1995*)

Building Act 1993 - Section 7 on 1 February 1996 (*Gazette No. G50, 21 December 1995*)

Building (Amendment) Act 1995 - Section 20 on 1 May 1996 (*Gazette No. G15, 18 April 1996*)

Classification (Publications, Films and Computer Games) (Enforcement) Act 1995 - Provisions of the Act, except Part 1 on 1 January 1996 (*Gazette No. G50, 21 December 1995*)

Consumer Credit (Victoria) Act 1995 - Section 52 on 5 March 1996 (*Gazette No. G8, 29 February 1996*)

Domestic Building Contracts and Tribunal Act 1995 - Parts 4, 5 and 8 on 1 April 1996. Remainder of Act on 1 May 1996 (*Gazette No. G8, 29 February 1996*)

Electricity Industry (Amendment) Act 1995 - Sections 37 and 38 on 28 November 1995 (*Gazette No. S116, 28 November 1995*)

- Electricity Industry (Further Amendment) Act 1995 - Section 39 on 5 December 1995 (*Gazette No. G48, 7 December 1995*). All remaining provisions (except for Part 3 and section 39) on 28 November 1995 (*Gazette No. S116, 28 November 1995*). Part 3 on 12 December 1995 (*Gazette No. G49, 14 December 1995*)
- Equal Opportunity Act 1995 - Remaining provisions except for sections 115 and 225 and Item 14 of Schedule 2 on 1 January 1996 (*Gazette No. G50, 21 December 1995*)
- Estate Agents (Amendment) Act 1994 - Section 14 on 1 June 1996 (*Gazette No. G17, 2 May 1996*)
- Fisheries Act 1995 - Part 1 (except section 10); Part 5 (except Division 2); sections 95, 160(3) (a) and (b), 160(10) (b), and 163 on 25 January 1996 (*Gazette No. G3, 25 January 1996*). Section 160(10) (a) on 1 April 1996 (*Gazette No. S31, 1 April 1996*)
- Government Employee Housing Authority (Repeal) Act 1995 - Part 3 on 29 February 1996 (*Gazette No. G6, 15 February 1996*)
- Grain Handling and Storage Act 1995 - Section 39(2) on 1 January 1996 (*Gazette No. S124, 19 December 1995*)
- Land Revocations (And Other Matters) Act 1995 - Section 11 and Schedule 5 on 25 January 1996 (*Gazette No. G3, 25 January 1996*)
- Liquor Control (Further Amendment) Act 1995 - Part 4 on 5 December 1995 (*Gazette No. G48, 7 December 1995*). Sections 3 and 4 and Parts 2 and 3 on 20 February 1996 (*Gazette No. G7, 22 February 1996*)
- Marcus Oldham College Act 1995 - Part 2 on 1 February 1996 (*Gazette No. G50, 21 December 1995*)
- Melbourne City Link Act 1995 - Part 3 (other than sections 27 and 30) and Parts 5 and 6 on 14 December 1995 (*Gazette No. S120, 14 December 1995*). Section 27 and Schedule 3 on 4 April 1996 (*Gazette No. S32, 2 April 1996*)
- Mental Health (Amendment) Act 1995 - Section 60 on 26 May 1996 (*Gazette No. G18, 9 May 1996*)
- Mildura College Lands (Amendment) Act 1995 - Remaining provisions on 1 February 1996 (*Gazette No. G4, 1 February 1996*)
- Miscellaneous Acts (Omnibus Amendments) Act 1995 - Parts 7, 16 and 17 on 1 April 1996 (*Gazette No. G11, 21 March 1996*). Part 2 on 30 April 1996 (*Gazette No. S45, 30 April 1996*)
- National Parks (Yarra Ranges and Other Amendments) Act 1995 - Part 2; sections 46 and 47; and Schedule 1 on 15 December 1995 (*Gazette No. G49, 14 December 1995*)
- Planning and Environment (Development Contributions) Act 1995 - Sections 3 and 5 on 30 November 1995 (*Gazette No. G47, 30 November 1995*)
- Port Services Act 1995 - Sections 93, 96-97, 99, 101-103, 105-125, 126(1), 126(3), 127-134, 135(2), 135(3), 135(16), 135(18), 135(19), 135(20), 136(2), 137-143, 144(7), 144(12), 144(14), 144(15), 145(2), 146-151, 152(14), 152(16), 152(17), 153(1), 169, 194, 195, 196-207 and Schedule 1 on 12 December 1995. Sections 18-63, 68-73, 75, 78-82, 94, 95, 104, 152(9), 155-165, 170-180 on 1 January 1996 (*Gazette No. G49, 14 December 1995*). Sections 10-13, and 17 on 1 February 1996 (*Gazette No. G2, 18 January 1996*). Sections 14-16, 64-67, 74, 76-77, 83-92, 98, 100, 126(2), 135(1), 135(4), 135(6), 135(8), 135(10), 135(11), 135(14), 135(15), 144(2), 144(9), 144(11), 153(2), 154, 174, 181-193 on 1 March 1996 (*Gazette No. S14, 27 February 1996*)

- Ports Acts (Amendment) Act 1995 - Sections 8, 12, 17, 19, 22 and 24 on 12 December 1995  
(*Gazette No. G49, 14 December 1995*)
- Psychologists Registration Act 1987 - Remaining provisions on 30 December 1995  
(*Gazette No. G50, 21 December 1995*)
- Public Transport Competition Act 1995 - Sections 40-42 and 45-48 on 23 November 1995  
(*Gazette No. G46, 23 November 1995*)
- Racing (Amendment) Act 1995 - Section 11 on 19 December 1995. (*Gazette No. G49, 14 December 1995*)
- Road Safety (Miscellaneous Amendments) Act 1995 - Section 10 on 1 February 1996  
(*Gazette No. G3, 25 January 1996*)
- Road Transport Charges (Victoria) Act 1995 - The Act (except for sections 1 and 2 which are already in operation) on 1 January 1996 (*Gazette No. G50, 21 December 1995*)
- Trade Measurement Act 1995 - Sections 7-81 on 1 January 1996 (*Gazette No. G48, 7 December 1995*)
- Trade Measurement (Administration) Act 1995 - Sections 7, 8, 10-28 on 1 January 1996. Section 27(2) on 1 April 1996 (*Gazette No. G48, 7 December 1995*)
- Zoological Parks and Gardens Act 1995 - Remaining provisions on 30 April 1996 (*Gazette No. S45, 30 April 1996*).

- 4 **STUDENT UNION DISCRIMINATION** - Motion made and question proposed - That this House condemns the Government for its attack on student unions and calls on the Government to repeal its voluntary student union legislation which is discriminatory and designed to disempower students (*Mr Hamilton*) - and, after debate -

*General Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 6 **TEMPORARY CHAIRMEN OF COMMITTEES** - The following Warrant, nominating the Temporary Chairmen of Committees, was laid upon the Table by Mr Speaker:

VICTORIA

Legislative Assembly

Pursuant to the provisions of Standing Order No. 12 of the Legislative Assembly, I do hereby nominate - Alex Andrianopoulos, Neil Donald Cole, David James Cunningham, Kenneth Stephen Jasper, Stephen James McArthur, Noel John Maughan, David John Perrin, Victor John Perton, Inga Peulich, Antony Fulton Plowman, John Ingles Richardson and George Seitz to act as Temporary Chairmen of Committees whenever requested so to do by the Chairman of Committees.

Given under my hand this fifteenth day of May, One thousand nine hundred and ninety-six.

S. J. PLOWMAN  
*Speaker*

- 7 **TEMPORARY RELIEF TO MR SPEAKER AND MR DEPUTY SPEAKER** - Motion made, by leave, and question - That during any absence of Mr Deputy Speaker, Mr Speaker be authorized to call upon any of the Temporary Chairmen of Committees to temporarily relieve him in the Chair and that during any absence of Mr Speaker, Mr Deputy Speaker be

similarly authorized to call upon any of the Temporary Chairmen (*Mr Gude*) - put and agreed to.

- 8 **HOUSE AND LIBRARY COMMITTEES** - Motion made, by leave, and question -
- (a) That Mr Dollis, Mr Jenkins, Mr Leigh, Mr McGrath (*Warrnambool*) and Mrs Wilson, be members of the House Committee; and that the Committee have leave to sit on days on which the House does not meet.
- (b) That Mr Speaker, Mr Carli, Mrs Maddigan, Mrs Peulich and Mr Treasure be members of the Library Committee; and that the Committee have leave to sit on days on which the House does not meet (*Mr Gude*) - put and agreed to.
- 9 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Appropriation (Interim 1996/97) Bill.
- 10 **APPROPRIATION (INTERIM 1996/97) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "*to make interim appropriation of moneys out of the Consolidated Fund for recurrent services and for certain works and services for the period July to October 1996*"; and the said Bill was read a first time, ordered to be printed and read a second time forthwith.
- Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 22 May 1996.
- 11 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Appropriation (Parliament) (Interim 1996/97) Bill.
- 12 **APPROPRIATION (PARLIAMENT) (INTERIM 1996/97) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "*to make interim appropriation of moneys out of the Consolidated Fund for recurrent services and for certain works and services for the Parliament for the period July to October 1996*"; and the said Bill was read a first time, ordered to be printed and read a second time forthwith.
- Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 22 May 1996.
- 13 **BIOLOGICAL CONTROL (AMENDMENT) BILL** - Mr McNamara, pursuant to a motion moved on his behalf by Mr McGrath (*Wimmera*), obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Biological Control Act 1986' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **STATE TAXATION (OMNIBUS AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to make miscellaneous amendments to the 'Business Franchise (Tobacco) Act 1974', the 'Debits Tax Act 1990', the 'Financial Institutions Duty Act 1982', the 'Land Tax Act 1958', the 'Pay-roll Tax Act 1971', the 'Stamps Act 1958' and the 'Valuation of Land Act 1960' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 15 **SUPERANNUATION ACTS (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Emergency Services Superannuation Act 1986', the 'Hospitals Superannuation Act 1988', the 'Local Authorities Superannuation Act 1988', the 'Melbourne and Metropolitan Board of Works Act 1958', the 'Parliamentary Salaries and Superannuation Act 1968', the 'Public Sector Superannuation (Administration) Act 1993', the 'State Employees Retirement Benefits Act 1979', the 'State Superannuation Act 1988', the 'Superannuation (Public Sector) Act 1992', the 'Superannuation (Portability) Act 1989', the 'Transport Superannuation Act 1988' and certain other Acts, to repeal the 'Superannuation Acts (General Amendment) Act 1995' and the 'Superannuation Acts (Miscellaneous Amendments) Act 1995' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **VICTORIAN MANAGED INSURANCE AUTHORITY BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "to establish the Victorian Managed Insurance Authority and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 **WATER ACTS (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Water Act 1989', the 'Water Industry Act 1994' and the 'Melbourne and Metropolitan Board of Works Act 1958' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 **ACCIDENT COMPENSATION (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Accident Compensation Act 1985' and the 'Accident Compensation (WorkCover Insurance) Act 1993' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 **ELECTRICITY INDUSTRY (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Electricity Industry Act 1993' and certain other Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 20 **LEGAL PROFESSION PRACTICE (DIRECT MORTGAGES) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Legal Profession Practice (Amendment) Act 1995' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 21 **HOUSING (AMENDMENT) BILL** - Mrs Henderson obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Housing Act 1983' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 22 **DOMESTIC BUILDING CONTRACTS AND TRIBUNAL (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*), pursuant to motion moved on his behalf by Mr Gude, obtained leave, with Mrs Wade, to bring in a Bill "to amend the 'Domestic Building Contracts and Tribunal Act 1995', the 'House Contracts Guarantee Act 1987' and the 'Building Act 1993' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

## 23 TELEVISIONING AND BROADCASTING OF PROCEEDINGS - Motion made and question -

### 1. That this House authorises -

- (a) the televising and broadcasting of Legislative Assembly proceedings, excluding debate on a motion that grievances be noted and debate on a motion moved by a Minister for the adjournment of the House at the end of a day's proceedings; and
- (b) the broadcasting and re-broadcasting on radio and television stations of recorded sound excerpts of proceedings in the Legislative Assembly commencing at the time fixed for the meeting of the House until the motion is moved or the question is proposed (and is not put forthwith and negatived) for the adjournment of the House excluding debate on a motion that grievances be noted.

### 2. That the following conditions apply and any breach of these conditions may result in the immediate suspension of privileges by Mr Speaker -

- (a) Sound recording pursuant to paragraph 1(a) and 1(b) shall only be recorded from the audio signal of proceedings transmitted by the House monitoring system by representatives of accredited media organisations. No alteration to the sound relay equipment is permitted without the permission of Mr Speaker. The use of separate recording equipment by television stations is not permitted;
- (b) Television recording shall not commence until the conclusion of the prayer;
- (c) Television recording and excerpts pursuant to paragraph 1(b) shall be used only for the purposes of fair and accurate reports of proceedings and reasonable balance between both sides of the House is to be achieved by avoiding undue concentration on any one Member;
- (d) Television recording and excerpts relating to paragraph 1(b) shall not be used for - (i) political party advertising or election campaigns; (ii) satire or ridicule; (iii) commercial sponsorship or commercial advertising; or (iv) television station advertisements or promotion;
- (e) Television recording of any particular proceeding must provide equality between Government and Non-government Members;
- (f) Television reports of proceedings shall be such as to provide a balanced presentation of differing views and may not include the rebroadcast of events in the Chamber unrelated to the proceedings of the House;
- (g) Television excerpts and excerpts relating to paragraph 1(b) must be placed in context. Commentators should identify Members at least by name;
- (h) Television excerpts shall not misrepresent any proceeding before the House, or the seating position, or office held by any Member of the House;
- (i) All filming shall be conducted in accordance with guidelines issued by Mr Speaker;
- (j) Points of order or remarks withdrawn are not to be rebroadcast; and
- (k) Media personnel are required to obey any instruction given by Mr Speaker or Mr Speaker's delegates.

(Mr Gude).

### Amendments proposed -

- 1. That in sub-paragraph 1 (a) the words "excluding debate on a motion that grievances be noted and debate on a motion moved by a Minister for the adjournment of the House at the end of a day's proceedings" be omitted.

2. That in sub-paragraph 1 (b) the words "motion is moved or the question is proposed (and is not put forthwith and negated) for the" be omitted.
3. That in sub-paragraph 1 (b) the words "excluding debate on a motion that grievances be noted" be omitted.

(*Mr Batchelor*) - and, after debate -

Question - That the amendments be agreed to - put.

The House divided.

AYES, 29

Mr Andrianopoulos	Mr Dollis	Mr Lim	
Mr Baker	Ms Douglas	Mr Loney	
Mr Batchelor	Ms Garbutt	Mr Micallef	<i>Tellers</i>
Mr Bracks	Mr Haermeyer	Mr Mildenhall	Mr Cunningham
Mr Brumby	Mr Hamilton	Mr Pandazopoulos	Mrs Maddigan
Mr Cameron	Mr Hulls	Mr Seitz	
Mr Campbell	Ms Kosky	Mr Sheehan	
Mr Carli	Mr Langdon	Mr Thwaites	
Mr Cole	Mr Leighton	Mrs Wilson	

NOES, 52

Mr Ashley	Mr Jenkins	Mr Maughan	Mr Smith
Mr Brown	Mr Kennett	Dr Naphine	( <i>Glen Waverley</i> )
Ms Burke	Mr Kilgour	Mr Paterson	Mr Smith
Mr Clark	Mr Lean	Mr Perrin	( <i>Polwarth</i> )
Mr Coleman	Mr Leigh	Mr Pescott	Mr Spry
Mr Cooper	Mr Lupton	Mrs Peulich	Mrs Tehan
Dr Dean	Mr McArthur	Mr Phillips	Mr Thompson
Mr Dixon	Ms McCall	Mr Plowman	Mr Traynor
Mr Doyle	Mrs McGill	( <i>Benambra</i> )	Mr Treasure
Mr Elder	Mr McGrath	Mr Reynolds	Mrs Wade
Mrs Elliott	( <i>Wimmera</i> )	Mr Richardson	Mr Wells
Mr Gude	Mr McLellan	Mr Rowe	
Mrs Henderson	( <i>Frankston East</i> )	Mr Ryan	<i>Tellers</i>
Mr Honeywood	Mr Maclellan	Mr Savage	Mr Andrighetto
Mr Jasper	( <i>Pakenham</i> )	Ms Shardey	Mr Finn

And so it passed in the negative.

Original motion - put and agreed to.

- 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 His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 15 *ante*); debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Mr Gude*) - put and agreed to.

Debate continued on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 15 *ante*).

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

Ordered - That the debate be adjourned until tomorrow.

25 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.

26 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.

And the House, at 11.18 p.m., adjourned until tomorrow.

PHILIP J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## No. 4 - Thursday, 16 May 1996

1 Mr Speaker took the Chair and read the Prayer.

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

**South Eastern Arterial - Noise Barriers** - Seeking that high noise barriers be provided along a stretch of about 350 metres on the southern side of the South Eastern Arterial in order to decrease the noise level, maintain land value and improve quality of life to residents of the area, bearing 145 signatures (*by Mrs McGill*)

**Specialist Women's Hospital** - Seeking that the Government take action to maintain an independent specialist women's hospital, bearing 54 signatures (*by Ms Garbutt*)

**Austin/Repatriation Hospitals** - Seeking that the House take action to prevent any closure of services or downgrading of facilities at the Austin/Repatriation Hospitals, bearing 121 signatures (*by Ms Garbutt*)

**Pedestrian Gates - Rosanna Railway Station** - Seeking that the Government will urgently address the concerns of the community and install automatic locking pedestrian gates at the rail/road crossings near Rosanna Railway Station, bearing 655 signatures (*by Ms Garbutt*)

**Bus Service - Pearcedale to Cranbourne** - Seeking that a regular bus service be provided to operate from Pearcedale to Cranbourne via Cranbourne South, along Pearcedale Road and return, bearing 462 signatures (*by Mr Rowe*)

**Brothel at 31 Aster Avenue, Carrum Downs** - Seeking that the House will not permit the development of a brothel incorporating six rooms for prostitution, a waiting area, office, staff room, laundry and 13 on-site car parking spaces at 31 Aster Avenue, Carrum Downs, bearing 277 signatures (*by Mr Rowe*)

**Bus Service - Warrandyte Road, Langwarrin** - Seeking that a bus service be provided to operate along Warrandyte Road as far as Robinsons Road and through to North Road, Langwarrin, bearing 349 signatures (*by Mr Rowe*)

**Mordialloc Cheltenham Community Hospital** - Seeking that the Minister for Health rejects the proposed changes to the Mordialloc Cheltenham Community Hospital, bearing 4,454 signatures (*by Mr Leigh*)

**Secondary College at Glencairn Drive, Greenvale** - Seeking - (a) that the Government approves planning and full funding for the construction of a Secondary College on the site allocated in Glencairn Drive, Greenvale; and (b) that the College be fully operational for the commencement of the 1998 school year, bearing 520 signatures (*by Mr Finn*).

Severally ordered to lie on the Table.

3 **PETITION - SOUTH EASTERN ARTERIAL - NOISE BARRIERS** - Motion made and question - That the petition presented by the Member for Oakleigh relating to the South Eastern Arterial noise level be taken into consideration tomorrow (*Mr Batchelor*) - put and agreed to.

4 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Interpretation of Legislation Act 1984 - Notice under section 32(3)(a)(iii) in relation to Statutory Rule No. 9/1996

Statutory Rules under the following Acts:

Building Act 1993 - S.R. No. 24/1996

Club Keno Act 1993 - S.R. No. 3/1996

Conservation, Forests and Lands Act 1987 - S.R. No. 15/1996

Coroners Act 1985 - S.R. No. 36/1996

County Court Act 1958 - S.R. Nos. 30, 31, 34/1996

Dangerous Goods Act 1985 - S.R. No. 29/1996

Domestic Building Contracts and Tribunal Act 1995 - S.R. No. 32/1996

Domestic (Feral and Nuisance) Animals Act 1994 - S.R. No. 25/1996

Drugs, Poisons and Controlled Substances Act 1981 - S.R. No. 20/1996

Estate Agents Act 1980 - S.R. No. 13/1996

Financial Institutions Duty Act 1982 - S.R. Nos. 4, 28/1996

Fisheries Act 1968 - S.R. Nos. 14, 16, 26/1996

Guardianship and Administration Board Act 1986 - S.R. No. 1/1996

Liquor Control Act 1987 - S.R. No. 11/1996

Magistrates' Court Act 1989 - S.R. No. 35/1996

Mental Health Act 1986 - S.R. 10/1996

Murray Valley Citrus Marketing Act 1989 - S.R. No. 8/1996

Office of the Regulator-General Act 1994 - S.R. No. 2/1996

Pollution of Waters by Oil and Noxious Substances Act 1986 - S.R. No. 18/1996

Prevention of Cruelty to Animals Act 1986 - S.R. No. 6/1996

Road Safety Act 1986 - S.R. Nos. 5, 17/1996

Royal Botanic Gardens Act 1991 - S.R. No. 12/1996

Subordinate Legislation Act 1994 - S.R. Nos. 27, 33/1996

Supreme Court Act 1986 - S.R. No. 19/1996

Tattersall Consultations Act 1958 - S.R. No. 3/1996

The Constitution Act Amendment Act 1958 - S.R. Nos. 22, 23/1996

Tobacco Act 1987 - S.R. Nos. 7, 9/1996

Wildlife Act 1975 - S.R. Nos. 15, 21/1996

## Subordinate Legislation Act 1994 -

Ministers' exception certificates in relation to Statutory Rule Nos. 6, 10, 16, 19, 27, 34, 35, 36

Ministers' exemption certificates in relation to Statutory Rule Nos. 3, 4, 8, 9, 12, 14, 18, 20, 21, 28.

- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 28 May 1996 (*Mr McGrath, Wimmera*) - put and agreed to.
- 6 **PRIVATE BILL STANDING ORDERS** - Motion made and question proposed - That the Report of the Standing Orders Committee upon Fees for Private Bills be adopted and that the following be adopted in lieu of the Standing Order No. 168(d) - "(d) Unless the House expresses the view that fees should be dispensed with - (i) before any private Bill is read a second time in the Legislative Assembly, a deposit of \$1000 shall be paid to the Department of the Legislative Assembly; and (ii) the promoter shall be liable to pay the costs of printing and circulation of the Bill; the advertisements placed pursuant to S.O. 168(b); all costs of a Select Committee appointed pursuant to S.O. 168(c); and any other expenses involved in the preparation and passage of the Bill; (da) The sum of such amounts (less the deposit of \$1000) shall be paid to the Department of the Legislative Assembly before the Clerk of the Parliaments presents the Bill for Royal Assent." (*Mr McGrath, Wimmera*) - put and agreed to.
- 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 His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 15 *ante*); debate resumed.
- Motion made and question - That the debate be now adjourned (*Mr Jenkins*) - put and agreed to.
- Ordered - That the debate be adjourned until later this day.
- 8 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 30 May 1996.
- 9 **BIOLOGICAL CONTROL (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 30 May 1996.
- 10 **STATE TAXATION (OMNIBUS AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 30 May 1996.
- 11 **SUPERANNUATION ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 30 May 1996.

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- 12 **VICTORIAN MANAGED INSURANCE AUTHORITY BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).  
 Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 30 May 1996.
- 13 **WATER ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).  
 Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 30 May 1996.
- 14 **ACCIDENT COMPENSATION (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).  
 Motion made and question - That the debate be now adjourned (*Mr Micallef*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 30 May 1996.
- 15 **ELECTRICITY INDUSTRY (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).  
 Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 30 May 1996.
- 16 **LEGAL PROFESSION PRACTICE (DIRECT MORTGAGES) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).  
 Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 30 May 1996.
- 17 **HOUSING (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Henderson*).  
 Motion made and question - That the debate be now adjourned (*Ms Kosky*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 30 May 1996.
- 18 **DOMESTIC BUILDING CONTRACTS AND TRIBUNAL (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).  
 Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 30 May 1996.
- 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 His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 15 *ante*); debate resumed.

*Business having been interrupted at 2.00 p.m.  
 pursuant to Sessional Orders.*

- 20 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 21 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Debate continued on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 15 *ante*).  
Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.  
Ordered - That the debate be adjourned until tomorrow.
- 22 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mrs Tehan*) - put and agreed to.
- 23 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 5.25 p.m., adjourned until Tuesday, 28 May 1996.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS

### Nos. 5, 6, 7 and 8

#### No. 5 - Tuesday, 28 May 1996

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
  - 2 **MEMBERS SWORN** - Patrick McNamara, Esquire, and Barry Edward Hector Steggall, Esquire took and subscribed the Oath required by law.
  - 3 **QUESTIONS** - (Pursuant to Standing Order No. 124).
  - 4 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
    - Gun Laws** - Seeking that no change be made to the present Victorian gun laws, bearing 296 signatures (*by Mr Traynor*)
    - Campus on Fleetwood Drive, Narre Warren** - Seeking that the House take necessary action to reverse the decision and terminate the sale of land designated for the proposed secondary school campus located on Fleetwood Drive, Narre Warren, bearing 134 signatures (*by Dr Dean*)
    - Smoking in Taxis** - Seeking that the House take action to amend the relevant legislation in order to allow taxi drivers to smoke in their taxi when they do not have a passenger in the taxi, bearing 842 signatures (*by Ms Garbutt*)
    - Re-introduction of Capital Punishment** - Seeking that the Government take action to re-introduce capital punishment, bearing 228 signatures (*by Mr Rowe*)
    - Marijuana** - Seeking that the House rejects the proposed legalisation of marijuana, bearing 314 signatures (*by Mr Rowe*)
    - Secondary College at Glencairn Drive, Greenvale** - Seeking - (a) that the Government approves planning and full funding for the construction of a Secondary College on the site allocated in Glencairn Drive, Greenvale; and (b) that the College be fully operational for the commencement of the 1998 school year, bearing 660 signatures (*by Mr Finn*).
- Severally ordered to lie on the Table.
- 5 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 1 of 1996 on the -
    - Statute Law Revision (Marine) Act 1995
    - Health Acts (Amendment) Bill
    - Appropriation (Parliament) (Interim 1996/7) Bill
    - Appropriation (Interim 1996/7) Bill
    - Domestic Building Contracts and Tribunal (Amendment) Bill
    - Housing (Amendment) Bill
    - Interpretation of Legislation (Amendment) Bill

Biological Control (Amendment) Bill  
 Legal Profession Practice (Direct Mortgages) Bill  
 Accident Compensation (Amendment) Bill  
 Superannuation Acts (Amendment) Bill  
 State Taxation (Omnibus Amendment) Bill  
 Electricity Industry (Amendment) Bill  
 Water Acts (Amendment) Bill  
 Victorian Managed Insurance Authority Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

**6 PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Casino (Management Agreement) Act 1993 - Authorized variations to Drawings of the Melbourne Casino Complex pursuant to section 16(2) (forty-seven papers)

The Constitution Act Amendment Act 1958 - Statement of function conferred on the Electoral Commissioner, 14 May 1996

Corangamite Regional Hospital Services (incorporating The Camperdown District Hospital and Lismore and District Hospital) - Report for the period ending 30 June 1995

Crown Land (Reserves) Act 1978 - Order pursuant to sections 17D and 17DA giving approval to the granting of a lease

Nhill Hospital - Report for the year 1994-95

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

Berwick Planning Scheme - Nos. L91 Part 1, L94

Boroondara Planning Scheme - No. L12

Brighton Planning Scheme - Nos. L17 Part 1, L17 Part 3, L17 Part 5

Chiltern Planning Scheme - No. L22

Darebin Planning Scheme - Nos. L11, L15, L19

Flinders Planning Scheme - No. L144

Greater Bendigo Planning Scheme - No. L37

Knox Planning Scheme - No. L102

Lillydale Planning Scheme - Nos. L154 Part 2, L162

Macedon Ranges Planning Scheme - No. L7

Moonee Valley Planning Scheme - No. L8

Mornington Planning Scheme - No. L65

Narracan Planning Scheme - No. L54

Pakenham Planning Scheme - No. L55

Springvale Planning Scheme - No. L89

Stonnington Planning Scheme - No. L7

Surf Coast Planning Scheme - No. R32

Traralgon (City) Planning Scheme - No. L59

Upper Murray Planning Scheme - No. L7

Warragul Planning Scheme - Nos. L32 Part 1, L41

Werribee Planning Scheme - Nos. L75, L76

Whittlesea Planning Scheme - No. L115

Wodonga Rural City Planning Scheme - No. L1

Yarra Planning Scheme - Nos. L6, L7, L12, L14, L16

Statutory Rules under the following Acts:

Magistrates' Court Act 1989 - S.R. No. 37  
 Health Act 1958 - S.R. No. 38  
 Stamps Act 1989 - S.R. No. 39

Subordinate Legislation Act 1994 -

Ministers' exception certificates in relation to Statutory Rule Nos. 37, 38  
 Minister's exemption certificate in relation to Statutory Rule No. 39

Victorian Institute of Sport - Report for the year 1994-95.

The following proclamation fixing an operative date was laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Heritage Act 1995 - Remaining provisions except sections 215 and 218(2) on 23 May 1996  
 (*Gazette No. G20, 23 May 1996*).

**7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - VACANCY IN THE SENATE -**

Mr Speaker announced the presentation of a message from His Excellency the Governor, 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 Gareth John Evans Q.C. on 6 February 1996.

Ordered to be taken into consideration forthwith.

**8 JOINT SITTING - SENATE VACANCY - Motion made and question -** That this House meets

the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Gareth John Evans, Q.C., and proposes that the place and time of such meeting be the Legislative Assembly Chamber on Tuesday, 28 May 1996 at 6.00 p.m. (*Mr Gude*) - put and agreed to.

Ordered - That a Message be sent to the Legislative Council acquainting them of the said resolution and seeking their concurrence therein.

**9 MEMBERSHIP OF THE COUNCILS OF DEAKIN UNIVERSITY, LA TROBE UNIVERSITY, MONASH UNIVERSITY, ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY, SWINBURNE UNIVERSITY OF TECHNOLOGY, VICTORIA UNIVERSITY OF TECHNOLOGY AND THE VICTORIAN HEALTH PROMOTION FOUNDATION -**

Mr Speaker announced that he had received communications from the Minister for Tertiary Education and Training and the Director, Office of the Secretary, Department of Health and Community Services requesting a Joint Sitting to choose various Members of the Parliament to be recommended for appointment to the Councils of the Deakin University, La Trobe University, Monash University, Royal Melbourne Institute of Technology, Swinburne University of Technology, Victoria University of Technology and the Victorian Health Promotion Foundation.

The vacancies and/or terms are as follows:

Deakin University Council - two vacancies, for a term expiring on 30 June 1998 *vice* Hon A. M. Henderson, MP and Hon D. Henshaw, MLC, resigned.

La Trobe University Council - one vacancy, for a term expiring on 31 December 1999, *vice* Hon. R. A. Best, MLC, resigned.

Monash University Council - two vacancies, for a term expiring on 9 December 1999, *vice* Hon J. V. C. Guest, MLC and Dr G. M. Vaughan, MP, resigned.

Royal Melbourne Institute of Technology Council - one vacancy for a term expiring on 31 December 1998, *vice* Hon D. M. Evans, MLC, resigned.

Swinburne University of Technology Council - two vacancies for a term expiring on 31 December 1998, *vice* Hon P. N. Honeywood, MP and Hon R. S. Ives, MLC, resigned.

Victoria University of Technology Council - three vacancies for a term expiring on 18 April 1998, *vice* Mr G. I. Davis, MP, Hon D. M. Evans, MLC and the Hon L. Kokocinski, MLC, resigned.

Victorian Health Promotion Foundation - two vacancies - (i) for a term commencing 23 May 1996, *vice* Mr B. A. Mildenhall, MP; and (ii) for a term expiring on 19 October 1996, *vice* Hon G. G. Weideman, MP, resigned.

Motion made and question - That this House meets the Legislative Council for the purpose of sitting and voting together to choose Members of the Parliament to be recommended for appointment to the Councils of Deakin University, La Trobe University, Monash University, Royal Melbourne Institute of Technology, Swinburne University of Technology, Victoria University of Technology and to elect two Members to the Victorian Health Promotion Foundation and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Tuesday, 28 May 1996 at 6.00 p.m. (*Mr Gude*) - put and agreed to.

Ordered - That a Message be sent to the Legislative Council acquainting them of the said resolution and seeking their concurrence therein.

- 10 **DRUGS FORUM** - Motion made, by leave and question - That (1) the Legislative Assembly invites Members of the Legislative Council to attend in the Legislative Assembly Chamber to hear the address by Professor David Penington, A.C., Chairman of the Premier's Drug Advisory Council; (2) Further to the Resolution adopted by the Legislative Assembly on 14 May 1996 relating to the address by Professor David Penington, A.C., Chairman of the Premier's Drug Advisory Council - (a) Members of the Legislative Assembly and Members of the Legislative Council be permitted to address questions to Professor Penington for a period of 30 minutes at the conclusion of his address; and (b) that the lower public gallery on the Opposition side of the House be deemed to be part of the Legislative Assembly Chamber for the duration of the address and questions to provide additional accommodation for Members of the Legislative Council; (3) The Speaker of the Legislative Assembly shall chair the address and the conduct of the proceedings will be in accordance with the Standing Orders of the Legislative Assembly; and (4) a message be sent to the Legislative Council acquainting them of the Resolution and inviting Honourable Members of the Legislative Council to attend in the Legislative Assembly Chamber at 9.00 a.m. on Friday, 31 May 1996 to hear the address by Professor David Penington, A.C., Chairman of the Premier's Drug Advisory Council on the recommendations of the Council's report (*Mr Gude*) - put, after debate, and agreed to.

Ordered - That a Message be sent to the Legislative Council acquainting them of the said resolution and seeking their concurrence therein.

- 11 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question proposed - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 30 May 1996:

Appropriation (Interim 1996/97) Bill  
 Appropriation (Parliament) (Interim 1996/97) Bill  
 Biological Control (Amendment) Bill  
 Legal Profession Practice (Direct Mortgages) Bill  
 Domestic Building Contracts and Tribunal (Amendment) Bill.

(*Mr Gude*) - after debate, put.

The House divided.

AYES, 54

Mr Andrighetto	Mr Kennett	Mr Perrin	Mr Stockdale
Mr Ashley	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Brown	Mr Leigh	Mr Pescott	Mr Thompson
Mr Clark	Mr Lupton	Mrs Peulich	Mr Traynor
Mr Coleman	Mr McArthur	Mr Phillips	Mr Treasure
Mr Cooper	Ms McCall	Mr Plowman	Mrs Wade
Dr Dean	Mrs McGill	(Benambra)	Mr Wells
Mr Dixon	Mr McGrath	Mr Reynolds	
Mr Elder	(Wimmera)	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	(Frankston East)	Ms Shardey	
Mr Gude	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(Glen Waverley)	
Mr Honeywood	(Pakenham)	Mr Smith	
Mr Jasper	Mr Maughan	(Polwarth)	Tellers
Mr Jenkins	Dr Napthine	Mr Spry	Ms Burke
Mr John	Mr Paterson	Mr Steggall	Mr Lean

NOES, 30

Mr Andrianopoulos	Mr Cole	Ms Kosky	Mr Seitz
Mr Baker	Mr Cunningham	Mr Langdon	Mr Sheehan
Mr Batchelor	Mr Dollis	Mr Leighton	Mr Thwaites
Mr Bracks	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Brumby	Ms Gillett	Mr Micallef	
Mr Cameron	Mr Haermeyer	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Lim
Mr Carli	Mr Hulls	Mr Savage	Mrs Maddigan

And so it was resolved in the affirmative.

- 12 **APPROPRIATION (INTERIM 1996/97) BILL** - 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 Micallef*) - put and agreed to.

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

- 13 **MESSAGES FROM THE LEGISLATIVE COUNCIL** -

Acquainting the Assembly that they have agreed to meet with the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Gareth John Evans, Q.C., and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber this day at 6.00 p.m.

Acquainting the Legislative Assembly that they have agreed to meet with the Assembly for the purpose of sitting and voting together to recommend Members for appointment to the Councils of Deakin University, , Monash University, Royal Melbourne Institute of Technology, Swinburne University of Technology, Victoria University of Technology and La Trobe University and to elect Members of Parliament to the Victorian Health Promotion Foundation and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber this day at 6.00 p.m..

- 14 **VACANCY IN THE SENATE AND VACANCIES IN MEMBERSHIP OF THE COUNCILS OF DEAKIN UNIVERSITY, LA TROBE UNIVERSITY, MONASH UNIVERSITY, ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY, SWINBURNE UNIVERSITY OF TECHNOLOGY, VICTORIA UNIVERSITY OF TECHNOLOGY AND THE VICTORIAN HEALTH PROMOTION FOUNDATION** - Mr Speaker reported that, that day, this House met with the Legislative Council in the Assembly Chamber for the purpose of sitting and voting together to choose a person to hold a vacant place in the Senate, recommend for appointment Members of the Parliament to various bodies and to elect two Members of the Parliament to the Victorian Health Promotion Foundation , and that -

Stephen Michael Conroy

was chosen to hold the vacant place in the Senate; and

The Honourable Ian James Cover, MLC, and  
Ms Mary Jane Gillett, MP

were recommended for appointment as members of the Council of the Deakin University; and

The Honourable Jeanette Powell, MLC

was recommended for appointment as a member of the Council of the La Trobe University; and

The Honourable Andrew Ronald Brideson, MLC, and  
Mr Hong Lim, MP

were recommended for appointment as members of the Council of the Monash University; and

The Honourable Ronald Alexander Best, MLC

was recommended for appointment as a member of the Council of the Royal Melbourne Institute of Technology; and

The Honourable Sang Minh Nguyen, MLC, and  
The Honourable Rosemary Varty, MLC

were recommended for appointment as members of the Council of the Swinburne University of Technology; and

The Honourable Ronald Alexander Best, MLC,  
Mr Bernard Thomas C. Finn, MP, and  
The Honourable Jean McLean, MLC

were recommended for appointment as members of the Council of the Victoria University of Technology; and

The Honourable Gerald Barry Ashman, MLC, and  
Mrs Janet Tindale Calder Wilson, MP

were elected to the Victorian Health Promotion Foundation.

- 15 **APPROPRIATION (INTERIM 1996/97) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Mr Gude*) - 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 (*Mr Gude*) - put and agreed to.

Ordered - That the debate be adjourned until tomorrow.

- 16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Acquainting the Legislative Assembly that they have agreed to the following resolution with which they desire the concurrence of the Assembly:

That - (a) pursuant to section 4A of the *Parliamentary Committees Act 1968*, a Specific Purpose Committee, to be called the Federal-State Relations Committee, be appointed; and

(b) the functions of the Federal-State Relations Committee be to inquire into, consider and report to the Parliament on any proposal matter or thing connected with relations between the Commonwealth Government and State and Territory Governments, if the Committee is required or permitted so to do by or under the *Parliamentary Committees Act 1968* - with which they desire the concurrence of the Legislative Assembly.

Motion made, by leave and question - That this House concurs with the Legislative Council and resolves:

That - (a) pursuant to section 4A of the *Parliamentary Committees Act 1968*, a Specific Purpose Committee, to be called the Federal-State Relations Committee, be appointed; and

(b) the functions of the Federal-State Relations Committee be to inquire into, consider and report to the Parliament on any proposal matter or thing connected with relations between the Commonwealth Government and State and Territory Governments, if the Committee is required or permitted so to do by or under the *Parliamentary Committees Act 1968* (*Mr Gude*) - put and agreed to.

Ordered - That a Message be sent to the Legislative Council acquainting them accordingly.

- 17 **FEDERAL-STATE RELATIONS COMMITTEE MEMBERSHIP** - Motion made, by leave, and question - That Mr Andrianopoulos, Ms Burke, Mr Jasper, Mr John, Ms Kosky and Mr Mildenhall be appointed members of the Federal-State Relations Committee (*Mr Gude*) - put and agreed to.
- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Transmitting a Bill "to make minor amendments of a statute law revision nature to the *Ports Acts (Amendment) Act 1995*, the *Port Services Act 1995* and the *Marine Act 1988*".
- 19 **STATUTE LAW REVISION (MARINE) BILL** - On the motion of Mr Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 20 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Transmitting a Bill "to amend the *Mental Health Act 1986*, the *Pathology Services Accreditation Act 1984* and the *Psychologists Registration Act 1987* and for other purposes".
- 21 **HEALTH ACTS (AMENDMENT) BILL** - On the motion of Dr Napthine, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 22 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 23 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 11.57 p.m., adjourned until tomorrow.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 6 - Wednesday, 29 May 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Marijuana** - Seeking that the Government affirms its opposition to the legalisation/decriminalisation of marijuana, bearing 11, 16 and 213 signatures (*by Mr Dixon, Mr McArthur and Mr Savage, respectively*)
  - Soccer Stadium at Yarra Valley** - Seeking that the Government will - (a) abandon any plans or considerations to allow the building of a Soccer Stadium in the Yarra Valley opposite Eaglemont; (b) ensure that the residents continue their quiet enjoyment of this residential area; and (c) ensure that Council, Melbourne Water and Yarra Valley authorities continue to have planning controls over the Yarra Valley, bearing 96 signatures (*by Mr Langdon*)
  - Pedestrian Gates - Rosanna Railway Station** - Seeking that the Government will urgently address the concerns of the community and install automatic locking pedestrian gates at the rail/road crossings near Rosanna Railway Station, bearing 621 signatures (*by Mr Langdon*)
  - Education on Marijuana** - Seeking that the Government will reject the proposal to legalise the growing and use of marijuana and increase attempts to educate young people against the dangers of this and all harmful drugs, bearing 328 signatures (*by Mr McGrath, Warrnambool*)
- Severally ordered to lie on the Table.
- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Auditor-General - Special Report No. 40 - The Community Support Fund: A significant community asset, May 1996 - Ordered to be printed
  - Melbourne City Link Act 1995 - Notification from the Minister for Planning and Local Government of the Second Deed amending the Concession Deed (dated 28 May 1996) and explanatory notes, which amends the Melbourne City Link Agreement.

- 4 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Superannuation Acts (Amendment) Bill  
 Victorian Managed Insurance Authority Bill  
 Water Acts (Amendment) Bill  
 Domestic Building Contracts and Tribunal (Amendment) Bill  
 State Taxation (Omnibus Amendment) Bill.

- 5 **KOORIE OPEN DOOR EDUCATION** - Motion made and question proposed - That this House congratulates the Government and the Minister for Education for providing the Koorie Open Door Education (KODE) policy enabling aboriginal communities to manage their own schools from Prep to Year 12 at Glenroy and Morwell (*Mr Elder*) - and, after debate -

*General Business having been interrupted at 2.00 p.m.  
 pursuant to Sessional Orders.*

- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 7 **PARLIAMENT HOUSE COMPLETION AUTHORITY BILL** - Mr Kennett obtained leave, with Mr McNamara, to bring in a Bill "*to establish an Authority to control the improvement, refurbishment, alteration, extension and completion of Parliament House, to abolish the Public Bodies Review Committee and change the names and functions of two other Parliamentary Committees, to amend the Parliamentary Committees Act 1968 and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 8 **PUBLIC SECTOR MANAGEMENT AND PARLIAMENTARY OFFICERS (AMENDMENT) BILL** - Mr Kennett obtained leave, with Mr McNamara, to bring in a Bill "*to amend the Public Sector Management Act 1992, the Parliamentary Officers Act 1975, the Ombudsman Act 1973, the Parliamentary Salaries and Superannuation Act 1968, the Employee Relations Act 1992, the Constitution Act 1975 and the Subordinate Legislation Act 1994, and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 **LOCAL GOVERNMENT (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr Kennett, to bring in a Bill "*to amend the Local Government Act 1989, the City of Greater Geelong Act 1993 and the City of Melbourne Act 1993 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 **MELBOURNE CITY LINK (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*), after debate, obtained leave with Mr Kennett, to bring in a Bill "*to amend the Melbourne City Link Act 1995 and the Melbourne City Link Authority Act 1994 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 11 **ACCIDENT COMPENSATION (OCCUPATIONAL HEALTH AND SAFETY) BILL** - Mr Stockdale, after debate, obtained leave with Mr Gude, to bring in a Bill "*to further amend the Accident Compensation Act 1985, to amend the Dangerous Goods Act 1985, the Equipment (Public Safety) Act 1994, and the Occupational Health and Safety Act 1985 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 12 **GAMING ACTS (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to make miscellaneous amendments to the Gaming Machine Control Act 1991, the Casino Control Act 1991, the Gaming and Betting Act 1994, the Lotteries Gaming and Betting Act 1966, the Racing Act 1958 and the Casino (Management Agreement) Act 1993 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **GAMING MACHINE CONTROL (COMMUNITY SUPPORT FUND) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to amend the Gaming Machine Control Act 1991 with respect to the Community Support Fund and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **BALLARAT LANDS (LAKESIDE DEVELOPMENT) BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to revoke the permanent reservation over land known as the Lakeside Psychiatric Hospital site at Ballarat and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **FORESTS (WOOD PULP AGREEMENT) BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to ratify an Agreement between the Minister administering the Forests Act 1958 and AMCOR Limited with respect to the supply of pulpwood for the manufacture of wood pulp and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **MISCELLANEOUS ACTS (OMNIBUS AMENDMENTS) BILL** - Mr McGrath (*Wimmera*) obtained leave, with Mr Gude, to bring in a Bill "*to amend the Corrections Act 1986, the Crimes Act 1958, the Equal Opportunity Act 1995, the Legal Aid Act 1978, the Office of the Regulator-General Act 1994, the Planning and Environment Act 1987, the Prevention of Cruelty to Animals Act 1986, the Sentencing Act 1991 and the Teaching Service Act 1981 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 **FIREARMS (PROHIBITED FIREARMS) BILL** - Mr McGrath (*Wimmera*) obtained leave, with Mr Gude, to bring in a Bill "*to amend the Firearms Act 1958 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 **CHILDREN'S SERVICES BILL** - Dr Napthine obtained leave, with Mr Gude, to bring in a Bill "*to provide for the licensing and regulation of children's services, to repeal Part XIA of the Health Act 1958 and to make consequential amendments to other Acts*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 **APPROPRIATION (INTERIM 1996/97) BILL** - 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, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 **APPROPRIATION (PARLIAMENT) (INTERIM 1996/97) BILL** - 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, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 21 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 22 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 11.01 p.m., adjourned until tomorrow.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 7 - Thursday, 30 May 1996

- 1 Mr Speaker took the Chair and read the Prayer.
  - 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
    - State Museum** - Seeking that the Government reconsider the proposed development of the State Museum in the Exhibition Reserve, Carlton Gardens with the view of relocating it to an alternative and more appropriate site, bearing 987 signatures (*by Mr Dollis*)
    - Marijuana** - Seeking that the Government affirms its opposition to the legalisation/decriminalisation of marijuana, bearing 116 signatures (*by Mr McArthur*)
    - Drug Education** - Seeking that the House will ensure that - (a) the present law relating to illegal drugs be retained and remain an offence; (b) stricter penalties be enforced for drug use; and (c) an information and education strategy dealing with all drugs be funded, bearing 299 signatures (*by Mr Steggall*)
    - Secondary College at Glencairn Drive, Greenvale** - Seeking - (a) that the Government approves planning and full funding for the construction of a Secondary College on the site allocated in Glencairn Drive, Greenvale; and (b) that the College be fully operational for the commencement of the 1998 school year, bearing 600 signatures (*by Mr Finn*).
- Severally ordered to lie on the Table.
- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
    - Auditor-General - Report on Ministerial Portfolios, May 1996 - Ordered to be printed
    - Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
      - Berwick Planning Scheme - No. L106
      - Boroondara Planning Scheme - No. L16
      - Cranbourne Planning Scheme - Nos. L139, L173, L174, L175
      - Darebin Planning Scheme - Nos. L23, L24
      - Doncaster and Templestowe Planning Scheme - No. L71

Flinders Planning Scheme - No. L145  
 Heywood Planning Scheme - No. L14  
 Macedon Ranges Planning Scheme - Nos. L9, L10  
 Melbourne Planning Scheme - No. L161  
 Mildura (Shire) Planning Scheme - No. L38  
 Mirboo Planning Scheme - No. L14  
 Monash Planning Scheme - Nos. L4, L6  
 Moreland Planning Scheme - Nos. L14, L25, L26, L27  
 Narracan Planning Scheme - No. L53  
 Nunawading Planning Scheme - Nos. L89, L90, L91  
 Ringwood Planning Scheme - No. L53  
 Springvale Planning Scheme - No. L97  
 Surf Coast Planning Scheme - No. L30  
 Swan Hill (Shire) Planning Scheme - No. L22  
 Werribee Planning Scheme - No. L96  
 Whittlesea Planning Scheme - No. L127  
 Yarra Planning Scheme - No. L15  
 Yarra Ranges Amalgamation Amendment

Rural Finance Act 1988 - Direction by the Treasurer to the Rural Finance Corporation to administer money provided for the purpose of giving effect to Agreement dated 15 May 1996 between the Commonwealth of Australia and the State of Victoria and entered into by the Commonwealth pursuant to section 20E of the Rural Adjustment Act 1992 as amended

Statutory Rules under the following Acts:

Business Franchise (Tobacco) Act 1974 - S.R. No. 41  
 Chiropractors and Osteopaths Act 1978 - S.R. No. 40

Subordinate Legislation Act 1994 - Ministers' exemption certificates in relation to Statutory Rule Nos. 40, 41.

- 4 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 5 **BIOLOGICAL CONTROL (AMENDMENT) BILL** - 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, read a third time forthwith.  
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 6 **LEGAL PROFESSION PRACTICE (DIRECT MORTGAGES) BILL** - 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, read a third time forthwith.  
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 7 **DOMESTIC BUILDING CONTRACTS AND TRIBUNAL (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.  
 Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move an amendment in Committee and requested that the amendment be circulated. Amendment circulated.  
 Debate resumed on question - That this Bill be now read a second time.

*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 8 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 9 **DOMESTIC BUILDING CONTRACTS AND TRIBUNAL (AMENDMENT) BILL** - Debate resumed on question - That this Bill be now read a second time.  
Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read a third time.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 10 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.
- 11 **PARLIAMENT HOUSE COMPLETION AUTHORITY BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Kennett*).  
Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 6 June 1996.
- 12 **PUBLIC SECTOR MANAGEMENT AND PARLIAMENTARY OFFICERS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Kennett*).  
*Mr Kennett made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*  
Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 6 June 1996.
- 13 **LOCAL GOVERNMENT (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).  
Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 13 June 1996.
- 14 **MELBOURNE CITY LINK (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).  
Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 13 June 1996.
- 15 **ACCIDENT COMPENSATION (OCCUPATIONAL HEALTH AND SAFETY) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).  
*Mrs Tehan made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*

- Motion made and question - That the debate be now adjourned (*Mr Micallef*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 13 June 1996.
- 16 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 10 be postponed until later this day.
- 17 **BALLARAT LANDS (LAKESIDE DEVELOPMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Mrs Campbell*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 13 June 1996.
- 18 **FORESTS (WOOD PULP AGREEMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 13 June 1996.
- 19 **MISCELLANEOUS ACTS (OMNIBUS AMENDMENTS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).
- Motion made and question - That the debate be now adjourned (*Mr Haermeyer*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 13 June 1996.
- 20 **FIREARMS (PROHIBITED FIREARMS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).
- Motion made and question - That the debate be now adjourned (*Mr Haermeyer*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 13 June 1996.
- 21 **CHILDREN'S SERVICES BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Naphthine*).
- Motion made and question - That the debate be now adjourned (*Mr Thwaites*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 13 June 1996.
- 22 **STATUTE LAW REVISION (MARINE) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Naphthine*).
- Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 13 June 1996.
- 23 **HEALTH ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Naphthine*).
- Motion made and question - That the debate be now adjourned (*Mr Thwaites*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 13 June 1996.

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- 24 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business for 30 May 1996 be postponed until Tuesday 4 June 1996 (*Dr Naphthine*) - put and agreed to.
- 25 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 5.27 p.m., adjourned until tomorrow.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 8 - Friday, 31 May 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **DRUGS ADVISORY COUNCIL REPORT - ADDRESS BY PROFESSOR DAVID PENINGTON, A.C.** - Pursuant to the Resolutions of the House on 14 May and 28 May 1996 Members of the Legislative Council entered the Legislative Assembly Chamber to hear the Address by Professor Penington on the recommendations of the Premier's Drug Advisory Council's Report.  
Professor Penington having been introduced to the House by the Serjeant-at-Arms addressed the House, and answered questions from Members.  
Professor Penington was escorted from the Chamber by the Serjeant-at-Arms.  
Members of the Legislative Council withdrew from the Chamber.
- 3 **DRUG ADVISORY COUNCIL REPORT** - Motion made and question - That this House takes note of the Report of the Premier's Drug Advisory Council and the Address of Professor David Penington, A.C., the Chairman of the Premier's Drug Advisory Council (*Mr Kennett*) - put, after debate, and agreed to.
- 4 **ADJOURNMENT** - Resolved - That the House do now adjourn.  
And the House, at 6.05 p.m., adjourned until Tuesday, 4 June 1996.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS Nos. 9, 10 and 11

### No. 9 - Tuesday, 4 June 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:

**Gun Laws** - Seeking that no change be made to the present Victorian gun laws, bearing 3,339 signatures (*by Mr Traynor*)

**Psychoactive Substances** - Seeking that the Government affirms its opposition to the use of psychoactive substances and the legalisation/decriminalisation of cannabis, heroin and cocaine except for authorised medical or scientific purposes, bearing 35 signatures (*by Mr Ryan*)

**Westernport National Park** - Seeking that the remnant native vegetation and wildlife corridor between Lang Lang East and Grantville South be preserved and declared Westernport National Park stage 1, bearing 1,135 signatures (*by Mr Smith, Glen Waverley*)

**Timber Buildings in Anglesea** - Seeking that the Government take action to remove the timber buildings erected at the corner of Noble Street and River Reserve Road, Anglesea, bearing 578 signatures (*by Mr Smith, Polwarth*).

Severally ordered to lie on the Table.

- 4 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 2 of 1996, on the -

Parliament House Completion Authority Bill

Public Sector Management and Parliamentary Officers (Amendment) Bill

Road Safety (Wheel Clamping) Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

- 5 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Advanced Dental Technicians Qualifications Board - Report for the year 1994-95

Agricultural Industry Development Act 1990 - Emu Industry Development Order

Alexandra and District Ambulance Service - Report for the year 1994-95

Anderson's Creek Public Cemetery Trust - Financial Statements for the year 1995

Ballaarat General Cemeteries - Report for the year 1995 (three papers)

Ballarat University - Report for the year 1995  
 Bendigo Cemeteries Trust - Report for the period ended 31 December 1995  
 Cheltenham Public Cemeteries Trust - Report for the year 1995  
 Chiropodists Registration Board - Report for the year 1995  
 Crown Land (Reserves) Act 1978 - Order pursuant to sections 17D and 17DA giving approval to the granting of a lease  
 Deakin University - Report for the year 1995  
 Dental Technicians Licensing Committee - Report for the year 1994-95  
 Employee Relations Commission - Report for the period ended 31 December 1995  
 Fawkner Crematorium and Memorial Park - Report for the year 1995  
 Geelong Cemeteries Trust - Report for the year 1995  
 Keilor Cemetery Trust - Report for the period ended 30 June 1995  
 La Trobe University - Report for the year 1995  
 Lilydale Memorial Park and Cemetery Trust - Report for the year 1995  
 Melbourne University - Report for the year 1995  
 Monash University - Report for the year 1995  
 Murray Valley Wine Grape Industry Development Committee - Report for the period ended 31 July 1995  
 Necropolis - Report for the year 1995  
 Preston General Cemetery Trust - Report for the period ended 30 June 1995  
 RMIT - Report for the year 1995  
 Rural Water Corporation - Final Report for the period 1 July 1994 to 31 October 1995  
 Swinburne University of Technology - Report for the year 1995  
 Templestowe Cemetery Trust - Financial Statements for the year 1995  
 Victoria University of Technology - Report for the year 1995  
 Victorian College of Agriculture and Horticulture - Report for the year 1995 (four papers).

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Melbourne City Link Act 1995 - Section 30 on 1 June 1996 (*Gazette No. S58, 28 May 1996*)  
 Port Services Act 1995 - Sections 136(1), 144(1), 144(4), 144(6), 144(10) on 1 July 1996 (*Gazette No. S58, 28 May 1996*).

**6 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Accident Compensation (Occupational Health and Safety) Bill  
 Ballarat Lands (Lakeside Development) Bill  
 Children's Services Bill  
 Electricity Industry (Amendment) Bill  
 Firearms (Prohibited Firearms) Bill  
 Forests (Wood Pulp Agreement) Bill  
 Gaming Acts (Amendment) Bill

Melbourne City Link (Amendment) Bill  
 Parliament House Completion Authority Bill  
 Public Sector Management and Parliamentary Officers (Amendment) Bill.

- 7 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 6 June 1996:

Superannuation Acts (Amendment) Bill  
 Victorian Managed Insurance Authority Bill  
 Water Acts (Amendment) Bill  
 State Taxation (Omnibus Amendment) Bill  
 Accident Compensation (Amendment) Bill  
 Electricity Industry (Amendment) Bill  
 Housing (Amendment) Bill  
 Parliament House Completion Authority Bill

(*Mr Gude*) - put and agreed to.

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

- 9 **GAMING ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).

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

Ordered - That the debate be adjourned until Tuesday, 18 June 1996.

- 10 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 3 to 10 inclusive, be postponed until later this day.

- 11 **GAMING MACHINE CONTROL (COMMUNITY SUPPORT FUND) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).

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

Ordered - That the debate be adjourned until Tuesday, 18 June 1996.

- 12 **VICTORIAN MANAGED INSURANCE AUTHORITY BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Gude announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 13 **WATER ACTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Stockdale announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Question - put.

The House divided.

AYES, 54

Mr Andrighetto	Mr John	Mr Perrin	Mr Stockdale
Mr Ashley	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Brown	Mr Leigh	Mr Pescott	Mr Thompson
Ms Burke	Mr Lupton	Mrs Peulich	Mr Traynor
Mr Clark	Mr McArthur	Mr Phillips	Mr Treasure
Mr Coleman	Ms McCall	Mr Plowman	Mrs Wade
Mr Cooper	Mrs McGill	(Benambra)	Mr Wells
Dr Dean	Mr McGrath	Mr Reynolds	
Mr Dixon	(Wimmera)	Mr Richardson	
Mr Elder	Mr McLellan	Mr Rowe	
Mrs Elliott	(Frankston East)	Mr Ryan	
Mr Finn	Mr McNamara	Mr Smith	
Mr Gude	Mr Maclellan	(Glen Waverley)	
Mrs Henderson	(Pakenham)	Mr Smith	
Mr Honeywood	Mr Maughan	(Polwarth)	Tellers
Mr Jasper	Dr Napthine	Mr Spry	Mr Lean
Mr Jenkins	Mr Paterson	Mr Steggall	Ms Shardey

NOES, 26

Mr Andrianopoulos	Ms Garbutt	Mr Micallef	
Mr Baker	Mr Haermeyer	Mr Mildenhall	Tellers
Mr Bracks	Mr Hamilton	Mr Pandazopoulos	Mr Lim
Mr Cameron	Mr Hulls	Mr Savage	Mrs Maddigan
Mrs Campbell	Ms Kosky	Mr Seitz	
Mr Carli	Mr Langdon	Mr Sheehan	
Mr Cole	Mr Leighton	Mr Thwaites	
Mr Cunningham	Mr Loney	Mrs Wilson	

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 **SUPERANNUATION ACTS (AMENDMENT) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 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 His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 15 *ante*); debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 16 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.05 p.m.

PHILIP J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## No. 10 - Wednesday, 5 June 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Pedestrian Gates - Rosanna Railway Station** - Seeking that the Government will urgently address the concerns of the community and install automatic locking pedestrian gates at the rail/road crossings near Rosanna Railway Station, bearing 40 signatures (*by Ms Garbutt*)
  - Supervisors at School Crossings** - Seeking that the Government will take action to ensure that funding is provided to employ supervisors at the school crossings in Sharpes Road, Watsonia and Dundee Street outside Watsonia North Primary School, bearing 603 signatures (*by Ms Garbutt*)
  - Marijuana** - Seeking that the Government affirms its opposition to the legalisation/decriminalisation of marijuana, bearing 69 signatures (*by Mr Smith, Glen Waverley*)
- Severally ordered to lie on the Table.
- 3 **PAPERS** - The following Papers, pursuant to the directions of an Act of Parliament, were laid upon the Table by the Clerk:
- Crown Land (Reserves) Act 1978 -
    - Orders pursuant to section 17B and 17DA giving approval to the granting of licences (6 Orders)
    - Orders pursuant to section 17D and 17DA giving approval to the granting of leases (5 Orders).
- 4 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Transmitting a Bill "*to prohibit, except in certain circumstances, the detention or immobilisation of motor vehicles that enter on certain land, to regulate the removal of vehicles from certain areas, to enable a breach of parking restrictions on private property to be prosecuted where the owner or occupier has entered into a parking services agreement with the municipal council, to amend the Road Safety Act 1986 and for other purposes*".
- 5 **ROAD SAFETY (WHEEL CLAMPING) BILL** - On the motion of Mr Brown, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 6 **VICTORIAN DRUG STRATEGY** - Motion made and question proposed - That this House notes the recommendations of the Premier's Drug Advisory Council and calls on the Government to immediately develop a Victorian Drug Strategy which - (a) aims at reducing drug usage and drug abuse in the Victorian community; (b) adopts a "harm minimisation" approach for those involved in drugs; (c) increases access to preventative and educative programs which aim to prevent drug abuse and addiction; and (d) expands drug treatment and rehabilitation programs, and further calls on the Government to introduce any legislation necessary to give effect to such a strategy (*Mr Brumby*) - and, after debate -
- General Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*
- 7 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 8 **POLICE REGULATION (SELECTION AND REVIEW) BILL** - Mr McGrath (*Wimmera*) obtained leave, with Mr McNamara, to bring in a Bill "to amend the *Police Regulation Act 1958* and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **STATE TAXATION (OMNIBUS AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr Stockdale announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Debate resumed on question - That this Bill be now read a second time. Bill read a second time.
- Ordered - That the Bill be committed later this day.
- 10 **INSTRUCTION TO COMMITTEE** - Motion made and question - That it be an instruction to the Committee that they have power to consider amendments to - (a) ensure that the exemption from stamp duty for costs of refurbishment of lots in existing buildings sold "off-the-plan" is restricted to refurbishment carried out between the date of the contract and the date of the conveyance; (b) limit the exemption from stamp duty on a conveyance of real property of a company to a shareholder on winding up of the company to circumstances where the winding up is by a court or, in the case of a voluntary winding up, the Comptroller is satisfied that the winding up is not part of an arrangement or Schedule devised with the collateral purpose of reducing stamp duty (*Mr Stockdale*) - put and agreed to.
- 11 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the State Taxation (Omnibus Amendment) Bill.
- 12 **STATE TAXATION (OMNIBUS AMENDMENT) BILL** - Bill committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 **ACCIDENT COMPENSATION (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Question - put.

The House divided.

AYES, 52

Mr Andrighetto	Mr Kilgour	Mr Perrin	Mr Steggall
Mr Ashley	Mr Lean	Mr Perton	Mr Stockdale
Mr Brown	Mr Leigh	Mr Pescott	Mrs Tehan
Ms Burke	Mr Lupton	Mrs Peulich	Mr Thompson
Mr Clark	Mr McArthur	Mr Phillips	Mr Traynor
Mr Coleman	Ms McCall	Mr Plowman	Mr Treasure
Mr Cooper	Mrs McGill	(Benambra)	Mrs Wade
Dr Dean	Mr McGrath	Mr Reynolds	Mr Wells
Mr Dixon	(Warrnambool)	Mr Richardson	
Mr Elder	Mr McGrath	Mr Rowe	
Mrs Elliott	(Wimmera)	Mr Ryan	
Mr Finn	Mr McLellan	Mr Savage	
Mr Gude	(Frankston East)	Mr Smith	
Mr Jasper	Mr Maughan	(Glen Waverley)	Tellers
Mr Jenkins	Dr Napthine	Mr Smith	Mrs Shardey
Mr John	Mr Paterson	(Polwarth)	Mr Spry

NOES, 26

Mr Andrianopoulos	Ms Garbutt	Mr Leighton	Mr Sheehan
Mr Baker	Ms Gillett	Mr Lim	Mr Thwaites
Mr Bracks	Mr Haermeyer	Mr Loney	Mrs Wilson
Mr Cameron	Mr Hamilton	Mr Micallef	
Mrs Campbell	Mr Hulls	Mr Mildenhall	Tellers
Mr Carli	Ms Kosky	Mr Pandazopoulos	Mr Cunningham
Mr Cole	Mr Langdon	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 **ELECTRICITY INDUSTRY (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 15 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.09 p.m.

PHILIP J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## No. 11 - Thursday, 6 June 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:  
     **Stricter Gun Laws** - Seeking that the ownership of automatic and semi-automatic weapons be banned, bearing 218 signatures (*by Mrs Maddigan*).  
     Ordered to lie on the Table.
- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:  
     Melbourne City Link Act 1995 - Order pursuant to section 8(4) decreasing the Project area  
     Western Region Water Authority - Report for the year 1994-95, together with notification from the Minister for Agriculture and Resources of the failure to submit the annual report and the reasons therefore (four papers).
- 4 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:  
     Biological Control (Amendment) Bill  
     Domestic Building Contracts and Tribunal (Amendment) Bill  
     Legal Profession Practice (Direct Mortgages) Bill  
     Superannuation Acts (Amendment) Bill.
- 5 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Parliament House Completion Authority Bill.
- 6 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 18 June 1996 (*Mr Gude*) - put and agreed to.
- 7 **POLICE REGULATION (SELECTION AND REVIEW) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).  
     Motion made and question - That the debate be now adjourned (*Mr Haermeyer*) - put and agreed to.  
     Ordered - That the debate be adjourned until Thursday, 13 June 1996.
- 8 **PARLIAMENT HOUSE COMPLETION AUTHORITY BILL** - Order read for resuming debate on question - That this Bill be now read a second time.  
     Pursuant to Sessional Orders, Mr Kennett announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.  
     Debate resumed on question - That this Bill be now read a second time.  
     Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.  
     Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 9 **HOUSING (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.  
 Pursuant to Sessional Orders, Mr Kennett announced that it was proposed to move an amendment in Committee and requested that the amendment be circulated. Amendment circulated.  
 Debate resumed on question - That this Bill be now read a second time.  
 Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read a third time.  
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 10 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 4 be postponed until later this day.
- 11 **ROAD SAFETY (WHEEL CLAMPING) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).  
 Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 20 June 1996.
- 12 **ELECTRICITY INDUSTRY (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.  
 Committee reported progress; to sit again later this day.  
*Business having been interrupted at 2.00 p.m.  
 pursuant to Sessional Orders.*
- 13 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 14 **ELECTRICITY INDUSTRY (AMENDMENT) BILL** - Further considered in Committee and reported without amendment; read a third time.  
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 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 His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 15 *ante*); debate resumed.  
 Motion made and question - That the debate be now adjourned (*Mr Gude*) - put and agreed to.  
 Ordered - That the debate be adjourned until tomorrow.

- 16 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 17 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 5.06 p.m., adjourned until Tuesday, 18 June 1996.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS Nos. 12, 13 and 14

### No. 12 - Tuesday, 18 June 1996

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
  - 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
  - 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
    - Gun Laws** - Seeking that no change be made to the present Victorian gun laws, bearing 417 signatures (*by Mr Traynor*)
    - Stricter Gun Laws** - Seeking that the ownership of automatic and semi-automatic weapons be banned, bearing 41 and 148 signatures (*by Mr Richardson and Mr Seitz, respectively*)
    - Coode Island Hazardous Storage Facility** - Seeking that the Government does not relocate the Coode Island Hazardous Chemical Storage Facility to Point Lillias, bearing 8,571 signatures (*by Mr Loney*)
    - Childrens' Services - City of Knox** - Seeking that the House will take steps to ensure that the City of Knox Commissioners/Council preserves the level of service provided by the Maternal and Child Health Service and the Pre-School Service and that they be exempt from the compulsory competitive tendering process, bearing 3,678 signatures (*by Mr Lupton*)
    - B-Double Vehicles** - Seeking that the Government find alternative routes for B-Double vehicles traversing Main Road, East/West of St. Albans, Old Calder Highway, Keilor, bearing 38 signatures (*by Mr Seitz*).
- Severally ordered to lie on the Table.
- 4 **PETITION - COODE ISLAND HAZARDOUS STORAGE FACILITY** - Motion made and question - That the petition presented by the Member for Geelong North relating to the Coode Island Hazardous Storage Facility be taken into consideration tomorrow (*Mr Loney*) - put and agreed to.
  - 5 **CONSULTATIVE COUNCIL ON OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY REPORT** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Consultative Council on Obstetric and Paediatric Mortality and Morbidity for the year 1994 (*Dr Napthine*) - put and agreed to.
  - 6 **PAPER** - Dr Napthine presented:
    - Consultative Council on Obstetric and Paediatric Mortality and Morbidity - Report for the year 1994 - Return to the foregoing Order.
- Ordered to lie on the Table.

- 7 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 3 of 1996 on the -

Melbourne City Link (Amendment) Bill  
 Ballarat Lands (Lakeside Development) Bill  
 Firearms (Prohibited Firearms) Bill  
 Gaming Acts (Amendment) Bill  
 Gaming Machine Control (Community Support Fund) Bill  
 Forests (Wood Pulp Agreement) Bill  
 Children's Services Bill  
 Accident Compensation (Occupational Health and Safety) Bill  
 Local Government (Amendment) Bill  
 Miscellaneous Acts (Omnibus Amendments) Bill  
 Police Regulation (Selection and Review) Bill  
 Electricity Industry (Amendment) Bill  
 Water Acts (Amendment) Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

- 8 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Sheehan brought up a Report from the Public Accounts and Estimates Committee for the appointment of an Auditor to conduct a Financial Audit of the Victorian Auditor-General's Office, together with Appendices.

Ordered to lie on the Table and to be printed.

- 9 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Alpine Resorts Commission - Report for the year ended 31 October 1995

Auditor-General - Special Report No. 41 - Arts Victoria and the Arts 21 strategy: Maintaining the State for the Arts, June 1996 - Ordered to be printed

Interpretation of Legislation Act 1984 - Notice under section 32(3)(a) in relation to Statutory Rule No. 29

Parliamentary Committees Act 1968 - Response of the Minister for Roads and Ports on action taken with respect to the recommendations made by the Road Safety Committee's Inquiry into the Implementation of the Review of Speed Limits

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

Werribee Planning Scheme - No. L75 (*tabled in lieu of Planning Scheme previously tabled*)

Yarra Planning Scheme - No. L7 (*tabled in lieu of Planning Scheme previously tabled*)

Prevention of Cruelty to Animals Act 1986 -

Code of Accepted Farming Practice for the Welfare of Cattle (Victoria) (Revision Number 1)

Code of Accepted Farming Practice for the Welfare of Poultry (Revision Number 1)

Public Authorities (Equal Employment Opportunity) Act 1990 - Report describing the implementation and evaluation of Equal Employment Opportunity Programs in Public Authorities for the year 1994-95

Queen Victoria Medical Centre (Guarantees) Act 1982 - Notice pursuant to section 6

Statutory Rule under the Extractive Industries Development Act 1995 - S.R. No. 42

Subordinate Legislation Act 1994 - Minister's exception certificate in relation to Statutory Rule No. 33

Transport Act 1983 - Order for transfer of assets and liabilities pursuant to section 81.

- 10 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Biological Control (Amendment) Bill  
 Domestic Building Contracts and Tribunal (Amendment) Bill  
 Legal Profession Practice (Direct Mortgages) Bill  
 Superannuation Acts (Amendment) Bill.

- 11 **WESTPAC AND BANK OF MELBOURNE (CHALLENGE BANK) BILL** - Mr Stockdale by leave, obtained leave with Mr Kennett, to bring in a Bill "*to provide for the transfer to Westpac Banking Corporation of the banking business of Challenge Bank Limited and the transfer to Bank of Melbourne Limited of part of that business and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, to be read a second time forthwith.

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

Mr Speaker ruled the Bill to be a Private Bill.

Motion made and question - That this Bill be treated as a Public Bill (*Mr Stockdale*) - put and agreed to.

Mr Speaker advised the House that a deposit of \$1,000 had been paid to the Department of the Legislative Assembly, pursuant to Standing Order 168(d) to meet the expenses involved in the passage of the Bill.

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

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

- 12 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 5.00 p.m. on Thursday, 20 June 1996:

Ballarat Lands (Lakeside Development) Bill  
 Melbourne City Link (Amendment) Bill  
 Accident Compensation (Occupational Health and Safety) Bill  
 Public Sector Management and Parliamentary Officers (Amendment) Bill  
 Forests (Wood Pulp Agreement) Bill  
 Miscellaneous Acts (Omnibus Amendments) Bill  
 Firearms (Prohibited Firearms) Bill  
 Health Acts (Amendment) Bill  
 Police Regulation (Selection and Review) Bill  
 Gaming Acts (Amendment) Bill  
 Gaming Machine Control (Community Support Fund) Bill  
 Road Safety (Wheel Clamping) Bill

(*Mr Gude*) - put and agreed to.

- 13 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 1 to 8 inclusive, be postponed until later this day.

- 14 **POLICE REGULATION (SELECTION AND REVIEW) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 15 **FIREARMS (PROHIBITED FIREARMS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Question - put.

A Division having been called, Mr Speaker advised that there were not two tellers for the Noes, and accordingly declared the question resolved in the affirmative. Mr Savage, pursuant to SO 180, informed Mr Speaker that he wished his dissent to be recorded in the Votes and Proceedings, and Mr Speaker so ordered.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 16 **BALLARAT LANDS (LAKESIDE DEVELOPMENT) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 17 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Westpac and Bank of Melbourne (Challenge Bank) Bill.

- 18 **WESTPAC AND BANK OF MELBOURNE (CHALLENGE BANK) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 19 **MELBOURNE CITY LINK (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Mr Maclellan, Pakenham*) - 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 Gude*) - put and agreed to.

Ordered - That the debate be adjourned until tomorrow.



Doncaster and Templestowe Planning Scheme - Nos. L94, L96, L97  
 Greater Bendigo Planning Scheme - No. L42  
 Greater Geelong Planning Scheme - No. R155  
 Kingston Planning Scheme - No. L5  
 Lillydale Planning Scheme - No. L149  
 Macedon Ranges Planning Scheme - Nos. L11, L34  
 Maribyrnong Planning Scheme - Nos. L14, L18  
 Melton Planning Scheme - No. L45  
 Moe Planning Scheme - No. L37  
 Monash Planning Scheme - No. L3  
 Narracan Planning Scheme - No. L51  
 Pakenham Planning Scheme - Nos. L92, L108  
 Port Phillip Planning Scheme - Nos. L4, L10, L13  
 Shepparton (Shire) Planning Scheme - No. L81  
 Sherbrooke Planning Scheme - No. L117  
 Stawell (City) Planning Scheme - No. L35  
 Stawell (Shire) Planning Scheme - No. L21

Standing Review and Advisory Committee on Infertility - Report for the year 1995.

- 4 **DEVELOPMENT OF GAMING INDUSTRY** - Motion made and question proposed - That this House congratulates the Government for the responsible manner in which it has implemented the development of the gaming industry in Victoria (*Mr Ryan*) - and, after debate -

*General Business having been interrupted at 2.00 p.m.  
 pursuant to Sessional Orders.*

- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 6 **FORESTRY RIGHTS BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to provide for the creation of forest property rights and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 **MELBOURNE EXHIBITION CENTRE (AMENDMENT) BILL** - Mr Gude obtained leave, with Mr Stockdale, to bring in a Bill "*to amend the Melbourne Exhibition Centre Act 1994 to make further provision for the Melbourne Exhibition Centre land and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **TRANSPORT (RAIL SAFETY) BILL** - Mr Brown, after debate, obtained leave with Mrs Wade, to bring in a Bill "*to amend the Transport Act 1983 and the Public Transport Competition Act 1995 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **LEGAL PRACTICE BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to improve the regulation of legal practice in Victoria, to repeal the Legal Profession Practice Act 1958, to amend the Partnership Act 1958, to make consequential amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **MELBOURNE CITY LINK (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.  
 Question - put.

The House divided.

AYES, 55

Mr Andrighetto	Mr Kennett	Mr Paterson	Mr Spry
Mr Ashley	Mr Kilgour	Mr Perrin	Mr Steggall
Mr Brown	Mr Leigh	Mr Perton	Mr Stockdale
Ms Burke	Mr Lupton	Mr Pescott	Mrs Tehan
Mr Clark	Mr McArthur	Mrs Peulich	Mr Thompson
Mr Coleman	Mrs McGill	Mr Phillips	Mr Traynor
Mr Cooper	Mr McGrath	Mr Plowman	Mr Treasure
Dr Dean	(Warrnambool)	(Benambra)	Mrs Wade
Mr Dixon	Mr McGrath	Mr Reynolds	Mr Wells
Mrs Elliott	(Wimmera)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Ryan	
Mr Gude	(Frankston East)	Mr Savage	
Mrs Henderson	Mr McNamara	Ms Shardey	
Mr Honeywood	Mr Maclellan	Mr Smith	
Mr Jasper	(Pakenham)	(Glen Waverley)	Tellers
Mr Jenkins	Mr Maughan	Mr Smith	Mr Lean
Mr John	Dr Napthine	(Polwarth)	Ms McCall

NOES, 25

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Mr Dollis	Mr Loney	Mrs Wilson
Mr Batchelor	Ms Gillett	Mr Micallef	
Mr Bracks	Mr Hamilton	Mr Mildenhall	
Mr Brumby	Mr Hulls	Mr Pandazopoulos	Tellers
Mrs Campbell	Ms Kosky	Mr Seitz	Mr Cameron
Mr Cole	Mr Langdon	Mr Sheehan	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 11 **ACCIDENT COMPENSATION (OCCUPATIONAL HEALTH AND SAFETY) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Stockdale announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 12 **PUBLIC SECTOR MANAGEMENT AND PARLIAMENTARY OFFICERS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mrs Henderson announced that it was proposed to move an amendment in Committee and requested that the amendment be circulated. Amendment circulated.

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

Question - put.

The House divided.

AYES, 54

Mr Ashley	Mr Kilgour	Mr Maughan	Mr Smith
Mr Brown	Mr Lean	Dr Naphthine	(Polwarth)
Ms Burke	Mr Leigh	Mr Paterson	Mr Spry
Mr Clark	Mr Lupton	Mr Perrin	Mr Steggall
Mr Coleman	Mr McArthur	Mr Perton	Mr Stockdale
Mr Cooper	Ms McCall	Mr Pescott	Mrs Tehan
Dr Dean	Mrs McGill	Mrs Peulich	Mr Thompson
Mr Dixon	Mr McGrath	Mr Plowman	Mr Traynor
Mrs Elliott	(Warrnambool)	(Benambra)	Mr Treasure
Mr Finn	Mr McGrath	Mr Reynolds	Mrs Wade
Mrs Henderson	(Wimmera)	Mr Richardson	Mr Wells
Mr Honeywood	Mr McLellan	Mr Rowe	
Mr Jasper	(Frankston East)	Mr Ryan	
Mr Jenkins	Mr McNamara	Mr Savage	Tellers
Mr John	Mr Maclellan	Mr Smith	Mr Andrighetto
Mr Kennett	(Pakenham)	(Glen Waverley)	Ms Shardey

NOES, 25

Mr Andrianopoulos	Mr Cole	Mr Loney	Mr Thwaites
Mr Baker	Mr Cunningham	Mrs Maddigan	Mrs Wilson
Mr Batchelor	Mr Dollis	Mr Micallef	
Mr Bracks	Mr Hamilton	Mr Mildenhall	
Mr Brumby	Mr Hulls	Mr Pandazopoulos	Tellers
Mr Cameron	Ms Kosky	Mr Seitz	Ms Gillett
Mrs Campbell	Mr Leighton	Mr Sheehan	Mr Langdon

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 13 **FORESTS (WOOD PULP AGREEMENT) BILL** - 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 Hamilton*) - put and agreed to.

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

- 14 **SUSPENSION OF STANDING ORDERS - MISCELLANEOUS ACTS (OMNIBUS AMENDMENTS) BILL** - Motion made, by leave, and question - That Standing Orders be suspended so as to allow the following motion to be considered: 'That it be an instruction to the Committee that they have power to consider an amendment and New Part to the Miscellaneous Acts (Omnibus Amendments) Bill which by amendment of the *Parliamentary Salaries and Superannuation Act 1968*, provides for the creation of a new benefit scheme based on Part V of the Commonwealth Parliamentary Contributory Superannuation Act 1948 for new Victorian Members of Parliament and for existing Members of Parliament who make an election to participate in the new benefit scheme and for an amendment to the definition of "third party"' (*Mr McNamara*) - put and agreed to.
- 15 **MISCELLANEOUS ACTS (OMNIBUS AMENDMENTS) BILL** - Motion made, by leave, and question - That, contingent upon the Miscellaneous Acts (Omnibus Amendments) Bill being committed, it be an instruction to the Committee that they have power to consider an amendment and New Part to the Miscellaneous Acts (Omnibus Amendments) Bill which by amendment of the *Parliamentary Salaries and Superannuation Act 1968*, provides for the creation of a new benefit scheme based on Part V of the Commonwealth Parliamentary Contributory Superannuation Act 1948 for new Victorian Members of Parliament and for existing Members of Parliament who make an election to participate in the new benefit scheme and for an amendment to the definition of "third party" (*Mr McNamara*) - put, after debate, and agreed to.
- 16 **MISCELLANEOUS ACTS (OMNIBUS AMENDMENTS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr McNamara announced that it was proposed to move amendments in Committee and requested that the amendments in his and Mrs Wade's name be circulated. Amendments circulated.
- Debate resumed on question - That this Bill be now read a second time.
- Bill read a second time and committed.
- Ordered - That the Bill be considered in Committee later this day.
- 17 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Deputy Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Miscellaneous Acts (Omnibus Amendments) Bill.
- 18 **MISCELLANEOUS ACTS (OMNIBUS AMENDMENTS) BILL** - Bill committed; considered in Committee and reported with amendments and with an amended long title, which title is as follows:
- "A Bill to amend the Corrections Act 1986, the Crimes Act 1958, the Equal Opportunity Act 1995, the Legal Aid Act 1978, the Office of the Regulator-General Act 1994, Parliamentary Salaries and Superannuation Act 1968, the Planning and Environment Act 1987, the Prevention of Cruelty to Animals Act 1986, the Sentencing Act 1991, and the Teaching Service Act 1981 and for other purposes"*.

Bill, as amended, considered, and amendments agreed to; read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 19 **FORESTS (WOOD PULP AGREEMENT) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 20 **HEALTH ACTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Dr Napthine*) - put and agreed to.

Debate continued on question - That this Bill be now read a second time.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.

- 21 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Electricity Industry (Amendment) Bill  
Housing (Amendment) Bill.

- 22 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.

- 23 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 10.46 p.m., adjourned until tomorrow.

PHILIP J. MITHEN

*Clerk of the Legislative Assembly*

S. J. PLOWMAN

*Speaker*

## No. 14 - Thursday, 20 June 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:

**Sale of Public Utilities** - Seeking that the Government immediately put in place - (a) a moratorium on the sale of the SECV, Melbourne Water, and the Gas & Fuel; (b) an independent public inquiry into the alleged benefits and disadvantages of selling off these utilities; and (c) a referendum for all Victorian citizens, bearing 36 signatures (by Mr Pandazopoulos)

**Concessions for Public Utilities** - Seeking that no reduction be made in concessions to low income earners for gas, electricity and water charges, bearing 18 signatures (by Mr Pandazopoulos)

**Hallam Road, Hampton Park** - Seeking that the Government will take action to immediately release funds such as those collected from residents in the 3 cents per litre fuel and car registration fees to upgrade Hallam Road, particularly between Princes Highway and Ormond Road, Hampton Park, bearing 1,013 signatures (by Mr Pandazopoulos)

**Coode Island Hazardous Storage Facility** - Seeking that the Government does not relocate the Coode Island Hazardous Chemical Storage Facility to Point Lillias, bearing 2,512 signatures (by Mr Loney)

**Police Presence/Gaming Premises in West Heidelberg** - Seeking that the Government will take action to - (a) construct the H District Police Headquarters at the corner of Bell Street and Oriel Road, West Heidelberg; and (b) prevent the construction of gaming premises on the site of the former Colosseum Hotel, bearing 1,601 signatures (by Mr Langdon)

**Bellfield Primary School** - Seeking that the Government will take action to ensure that Bellfield Primary School continues to provide outstanding educational opportunities for children in the area, bearing 135 signatures (by Mr Langdon)

**Psychoactive Substances** - Seeking that the Government affirms its opposition to the use of psychoactive substances and the legalisation/decriminalisation of cannabis, heroin and cocaine except for authorised medical or scientific purposes, bearing 765 signatures (by Mr Andrighetto).

Severally ordered to lie on the Table.

### 3 PAPERS -

Mrs Wade presented by Command of His Excellency the Governor:

Supreme Court Judges - Report for the year 1995.

Ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Auditor-General - Special Report No. 43 - Protecting Victoria's Children: The Role of the Department of Human Services - Ordered to be printed

Members of Parliament (Register of Interests) Act 1978 - Summary of Primary Returns June 1996 and Summary of Variations Notified between 23 November 1995 and 19 June 1996 - Ordered to be printed

Parliamentary Committees Act 1968 - Response of the Attorney-General on action taken with respect to the recommendations made by the Community Development Committee's Inquiry into Persons Detained at the Governor's Pleasure

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

Bacchus Marsh Planning Scheme - No. L53

Ballarat Planning Scheme - No. L12  
 Berwick Planning Scheme - No. L89  
 Buloke Planning Scheme - No. L2  
 Campaspe Planning Scheme - No. L5  
 Castlemaine Planning Scheme - No. L13  
 Cranbourne Planning Scheme - Nos. L147, L166  
 Creswick Planning Scheme Consolidation  
 Doncaster and Templestowe Planning Scheme - Nos. L84, L95  
 Golden Plains Planning Scheme - No. R3  
 Greater Geelong Planning Scheme - No. R120, RL123  
 Hume Planning Scheme - No. L3  
 Mitchell Planning Scheme - No. L18  
 Moonee Valley Planning Scheme - No. L9  
 Pakenham Planning Scheme - Nos. L124, L125  
 Port Phillip Planning Scheme - Nos. L19, L30, L31  
 Ringwood Planning Scheme - No. L43  
 Surf Coast Planning Scheme - No. RL40  
 Werribee Planning Scheme - No. L83  
 Whitehorse Amalgamation Amendment  
 Wodonga Rural City Planning Scheme - No. L8.

Statutory Rules under the following Acts:

Plant Health and Plant Products Act 1995 - S.R. No. 44  
 Treasury Corporation of Victoria Act 1992 - S.R. No. 45

Subordinate Legislation Act 1994 - Minister's exemption certificate in relation to Statutory Rule No. 45

Waste Management Council - Report for the period ended 30 June 1995.

4 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Parliament House Completion Authority Bill without amendment.

5 **AUDIT OF AUDITOR-GENERAL'S OFFICE** - Motion made, by leave, and question - That, pursuant to section 17 of the *Audit Act* 1994, Mr Douglas N. Bartley of KPMG be appointed to conduct the audit of the Auditor-General's Office in accordance with the conditions of appointment and remuneration contained in Appendix B of the Report of the Public Accounts and Estimates Committee upon the Appointment of an Auditor to Conduct a Financial Audit of the Victorian Auditor-General's Office (Parliamentary Paper No. 9, Session 1996) (*Mr Gude*) - and, after debate -

Amendment proposed - That after the expression "(Parliamentary Paper No. 9, Session 1996)" there be inserted the words - "and that the Parliament obtain urgent legal advice in relation to the Auditor-General's responsibilities to report to Parliament in relation to Special Report No. 42 'Protecting Victoria's Children: The role of the Children's Court' and that the censoring of the Auditor-General be the subject of specific examination during Mr Bartley's Audit." (*Mr Brumby*) - and, after debate -

Question - That the words proposed to be added be so added - put.

The House divided.

AYES, 26

Mr Andrianopoulos	Mr Cunningham	Mr Lim	Mr Sheehan
Mr Baker	Mr Dollis	Mr Loney	Mr Thwaites
Mr Batchelor	Ms Gillett	Mrs Maddigan	Mrs Wilson
Mr Bracks	Mr Hamilton	Mr Micallef	
Mr Brumby	Mr Hulls	Mr Mildenhall	<i>Tellers</i>
Mr Cameron	Mr Langdon	Mr Pandazopoulos	Mrs Campbell
Mr Cole	Mr Leighton	Mr Seitz	Ms Kosky

NOES, 53

Mr Andrighetto	Mr Leigh	Mr Perton	Mr Stockdale
Mr Ashley	Mr Lupton	Mr Pescott	Mrs Tehan
Mr Brown	Ms McCall	Mrs Peulich	Mr Thompson
Mr Clark	Mrs McGill	Mr Phillips	Mr Traynor
Mr Coleman	Mr McGrath	Mr Plowman	Mr Treasure
Mr Cooper	<i>(Warrnambool)</i>	<i>(Benambra)</i>	Mrs Wade
Dr Dean	Mr McGrath	Mr Richardson	Mr Wells
Mrs Elliott	<i>(Wimmera)</i>	Mr Rowe	
Mr Finn	Mr McLellan	Mr Ryan	
Mr Gude	<i>(Frankston East)</i>	Mr Savage	
Mrs Henderson	Mr McNamara	Ms Shardey	
Mr Honeywood	Mr Maclellan	Mr Smith	
Mr Jasper	<i>(Pakenham)</i>	<i>(Glen Waverley)</i>	
Mr Jenkins	Mr Maughan	Mr Smith	
Mr John	Dr Napthine	<i>(Polwarth)</i>	<i>Tellers</i>
Mr Kilgour	Mr Paterson	Mr Spry	Ms Burke
Mr Lean	Mr Perrin	Mr Steggall	Mr Dixon

And so it passed in the negative.

Original motion - put and agreed to.

Ordered - That a Message be sent to the Legislative Council acquainting them of the said resolution and seeking their concurrence therein.

- 6 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified in writing to each member of the House (*Mr Gude*).

Amendment proposed - That all the words after "House" be omitted with the view of inserting in place thereof the expression "meet on Tuesday, 25 June 1996 for the purpose of debating the Auditor-General's Report No. 43 and the circumstances in which the Auditor-General has been prevented from tabling his Report No. 42 'Protecting Victorian Children: The role of the Children's Court' " (*Mr Thwaites*).

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

The House divided.

AYES, 52

Mr Andrighetto	Mr John	Mr Perton	Mr Steggall
Mr Ashley	Mr Kilgour	Mr Pescott	Mr Stockdale
Mr Brown	Mr Leigh	Mrs Peulich	Mrs Tehan
Ms Burke	Mr Lupton	Mr Phillips	Mr Thompson
Mr Clark	Mrs McGill	Mr Plowman	Mr Traynor
Mr Coleman	Mr McGrath	(Benambra)	Mr Treasure
Mr Cooper	(Wimmera)	Mr Richardson	Mrs Wade
Dr Dean	Mr McLellan	Mr Rowe	Mr Wells
Mr Dixon	(Frankston East)	Mr Ryan	
Mrs Elliott	Mr McNamara	Mr Savage	
Mr Finn	Mr Maclellan	Ms Shardey	
Mr Gude	(Pakenham)	Mr Smith	
Mrs Henderson	Mr Maughan	(Glen Waverley)	
Mr Honeywood	Dr Naphthine	Mr Smith	Tellers
Mr Jasper	Mr Paterson	(Polwarth)	Mr Lean
Mr Jenkins	Mr Perrin	Mr Spry	Ms McCall

NOES, 26

Mr Andrianopoulos	Mr Cunningham	Mr Lim	Mr Sheehan
Mr Baker	Mr Dollis	Mr Loney	Mr Thwaites
Mr Batchelor	Mr Hamilton	Mrs Maddigan	Mrs Wilson
Mr Bracks	Mr Hulls	Mr Micallef	
Mr Brumby	Ms Kosky	Mr Mildenhall	Tellers
Mrs Campbell	Mr Langdon	Mr Pandazopoulos	Mr Cameron
Mr Cole	Mr Leighton	Mr Seitz	Ms Gillett

And so it was resolved in the affirmative.

Original motion - put and agreed to.

- 7 **GAMING ACTS (AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until all ramifications of the Parts of the Bill relating to the amendment of the *Casino Control Act 1991* and the *Casino (Management Agreement) Act 1993* have been adequately considered by the community." (Mr Hulls).

*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 8 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 9 **GAMING ACTS (AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until all ramifications of the Parts of the Bill relating to the amendment of the *Casino Control Act 1991* and the *Casino (Management Agreement) Act 1993* have been adequately considered by the community."

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

The House divided.

AYES, 50

Mr Ashley	Mr Lean	Mr Perrin	Mr Spry
Mr Brown	Mr Leigh	Mr Perton	Mr Thompson
Ms Burke	Mr Lupton	Mr Pescott	Mr Traynor
Mr Clark	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Coleman	Ms McCall	Mr Phillips	Mrs Wade
Mr Cooper	Mrs McGill	Mr Plowman	Mr Wells
Dr Dean	Mr McGrath	(Benambra)	
Mrs Elliott	(Wimmera)	Mr Reynolds	
Mr Finn	Mr McLellan	Mr Richardson	
Mr Gude	(Frankston East)	Mr Rowe	
Mrs Henderson	Mr McNamara	Mr Ryan	
Mr Honeywood	Mr Maclellan	Ms Shardey	
Mr Jasper	(Pakenham)	Mr Smith	
Mr Jenkins	Mr Maughan	(Glen Waverley)	Tellers
Mr Kennett	Dr Napthine	Mr Smith	Mr Andrighetto
Mr Kilgour	Mr Paterson	(Polwarth)	Mr Dixon

NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mrs Maddigan	Mrs Wilson
Mr Baker	Mr Dollis	Mr Micallef	
Mr Batchelor	Ms Gillett	Mr Mildenhall	
Mr Bracks	Mr Hamilton	Mr Pandazopoulos	
Mr Brumby	Mr Hulls	Mr Savage	
Mr Cameron	Ms Kosky	Mr Seitz	Tellers
Mrs Campbell	Mr Langdon	Mr Sheehan	Mr Leighton
Mr Cole	Mr Loney	Mr Thwaites	Mr Lim

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 10 **GAMING MACHINE CONTROL (COMMUNITY SUPPORT FUND) BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to provide for - (a) the establishment by the Minister for Gaming of a Board of community trustees to determine and advise the Minister of the priorities and expenditure of the following areas according to relative need from the Community Support Fund - (i) the Research and Development Fund for research into the social and economic effects of gambling; (ii) programs for the prevention of compulsive gambling or for the treatment or rehabilitation of persons who are compulsive gamblers; (iii) programs for the treatment or rehabilitation of persons who are addicted to or abuse drugs; (iv) educational programs relating to drug addiction or drug abuse; (v) programs for financial counselling services or support and assistance for families in crisis; (vi) programs for the benefit of youth; (vii) research or pilot programs relating to community advancement programs; (viii) programs for the benefit of sport or recreation; (ix) programs for the promotion or benefit of the arts; and (x) programs establishing or developing tourist destinations or facilities or services or for the purposes of promotion tourism; (b) the composition of the Board which shall include up to nine voluntary

representatives from a broad cross section of the community selected after nominations have been called for by way of advertisement; and (c) the Minister to distribute the money in the Fund to projects on the basis of the Board's advice and determination of priority." (Mr Hulls) - and, after debate -

*Allocation of time - The Deputy Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 18 June 1996 had expired.*

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

The House divided.

AYES, 52

Mr Andrighetto	Mr Kennett	Dr Napthine	Mr Spry
Mr Ashley	Mr Kilgour	Mr Paterson	Mr Steggall
Mr Brown	Mr Lean	Mr Perrin	Mr Stockdale
Ms Burke	Mr Leigh	Mr Pertone	Mr Thompson
Mr Clark	Mr Lupton	Mr Pescott	Mr Traynor
Mr Coleman	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Cooper	Ms McCall	Mr Plowman	Mrs Wade
Dr Dean	Mrs McGill	(Benambra)	Mr Wells
Mr Dixon	Mr McGrath	Mr Reynolds	
Mrs Elliott	(Wimmera)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(Frankston East)	Mr Ryan	
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maclellan	(Glen Waverley)	Tellers
Mr Jasper	(Pakenham)	Mr Smith	Mr Phillips
Mr Jenkins	Mr Maughan	(Polwarth)	Ms Shardey

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Loney	Mrs Wilson
Mr Baker	Ms Gillett	Mr Micallef	
Mr Batchelor	Mr Hamilton	Mr Mildenhall	
Mr Bracks	Mr Hulls	Mr Pandazopoulos	
Mr Brumby	Ms Kosky	Mr Savage	
Mr Cameron	Mr Langdon	Mr Seitz	Tellers
Mrs Campbell	Mr Leighton	Mr Sheehan	Mr Cunningham
Mr Cole	Mr Lim	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Question - That this Bill be now read a second time and a third time and be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 11 **ROAD SAFETY (WHEEL CLAMPING) BILL** - 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 and that a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment - put and agreed to.

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- 12 **FORESTRY RIGHTS BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Naphthine*).
- Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 4 July 1996.
- 13 **MELBOURNE EXHIBITION CENTRE (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).
- Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 4 July 1996.
- 14 **TRANSPORT (RAIL SAFETY) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).
- Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 4 July 1996.
- 15 **LEGAL PRACTICE BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Mrs Wade made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 4 July 1996.
- 16 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 17 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 6.52 p.m., adjourned until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified in writing to each Member of the House.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS Nos. 15, 16 and 17

### No. 15 - Tuesday, 10 September 1996

- 1 The House met pursuant to the terms of the resolution of Thursday, 20 June 1996, Mr Speaker having fixed this day at Two o'clock as the time of meeting - Mr Speaker took the Chair and read the Prayer.
- 2 **DEATH OF ANDREW ARTHUR HUGHES, ESQUIRE** - Motion made and question - That this House expresses its sincere sorrow at the death of Andrew Arthur Hughes, Esquire, 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 Caulfield from 1943 to 1945 (*Mr Kennett*) - put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 3 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 4 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
  - Royal Melbourne Hospital** - Seeking that the House initiate an investigation into the building of the Royal Melbourne Hospital Stage 1B Development, bearing 2 signatures (*by Mrs Shardey*)
  - Coode Island Hazardous Storage Facility** - Seeking that the Government does not relocate the Coode Island Hazardous Chemical Storage Facility to Point Lillias, bearing 134 signatures (*by Mr Loney*)
  - Rail Station, Mooroolbark** - Seeking that the proposed new rail station be built on the Lilydale rail line near the intersection of Mooroolbark and Hull Roads, Mooroolbark, bearing 797 signatures (*by Mrs Elliott*)
  - Sandringham Rail Line** - Seeking that the Sandringham rail line be part of the Melbourne central rail loop system, bearing 56 signatures (*by Mr Thompson*).Severally ordered to lie on the Table.
- 5 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 4 of 1996 on the -
  - Legal Practice Bill
  - Farm Produce Wholesale (Amendment) Bill
  - Melbourne Exhibition Centre (Amendment) Bill
  - Forestry Rights Bill
  - Transport (Rail Safety) Billtogether with an Appendix.  
Ordered to lie on the Table and to be printed.

6 PAPERS - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

- Border Groundwater Agreement Review Committee - Report for the year 1994-95
- Constitution Act Amendment Act 1958 - Statement of function conferred on the Electoral Commissioner, dated 25 June 1996
- Drugs, Poisons and Controlled Substances Act 1981 - Documents pursuant to section 12H - Poisons Code -
  - Amendment No. 3 to the Standard for the Uniform Scheduling of Drugs and Poisons No. 10, and Notice regarding the amendment, commencement and availability of the Poisons Code (two papers)
  - Amendment No. 4 to the Standard for the Uniform Scheduling of Drugs and Poisons No. 10, and Notice regarding the amendment, commencement and availability of the Poisons Code (two papers)
- Electric Light and Power Act 1958 - Report of the Chief Electrical Inspector for the year 1995
- Flora and Fauna Guarantee Act 1988 - Order in Council adding items to Schedule 2 - List of Taxa and Communities of Flora or Fauna which are threatened and Schedule 3 - List of potentially threatening processes and repealing of an item in Schedule 2
- Grampians Region Water Authority - Report for the year 1994-95, together with notification from the Minister for Agriculture and Resources of the failure to submit the annual report and the reasons therefore
- Melbourne City Link Act 1995 -
  - Order pursuant to section 8(4) decreasing the Project area dated 16 July 1996 (four papers)
  - Order pursuant to section 8(4) decreasing the Project area dated 6 August 1996 (four papers)
- National Parks Act 1975 - Order under section 19F amending Schedule Four
- Parliamentary Committees Act 1968 - Response of the Minister for Industry, Science and Technology on action taken with respect to the recommendations made by the Economic Development Committee's Inquiry into the Export of Environmental Services and Associated Technologies
- Pathology Services Accreditation Board - Report for the year 1994-95
- Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
  - All Planning Schemes - Nos. S42, S45, S48, S61, S63
  - Bairnsdale (Shire) Planning Scheme - No. L55
  - Ballarat Planning Scheme - Nos. L3, L4, L15, L17
  - Banyule Planning Scheme - Nos. L1, L2
  - Berwick Planning Scheme - Nos. L72, L83 Part 1, L98, L104, L111, L113, RL172
  - Boroondara Planning Scheme - Nos. L5, L10
  - Brighton Planning Scheme - No. L30
  - Brimbank Planning Scheme - Nos. L11, L23
  - Castlemaine City Planning Scheme - No. L17
  - Castlemaine Planning Scheme - No. L20
  - Caulfield Planning Scheme - No. L35
  - Chiltern Planning Scheme - No. L27

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Cranbourne Planning Scheme - Nos. L135, L136, L150, L152, L158, L167, L172, L191, RL174  
 Croydon Planning Scheme - No. L75  
 Dandenong Planning Scheme - Nos. L42, L47  
 Darebin Planning Scheme - Nos. L17, L26  
 Delatite Planning Scheme - No. L5  
 Doncaster and Templestowe Planning Scheme - Nos. L98, L100, L110  
 Flinders Planning Scheme - Nos. L137, L142, L143, L152  
 Frankston Planning Scheme - No. L74  
 Glen Eira Consolidation Amendment  
 Golden Plains Planning Scheme - No. RL4  
 Greater Bendigo Planning Scheme - Nos. L48, L53  
 Greater Dandenong Amalgamation Amendment  
 Greater Dandenong Planning Scheme - No. R173  
 Greater Geelong Planning Scheme - Nos. L150, L158, R118 Part 3, R139, R148, RL15  
 Hastings Planning Scheme - No. L96  
 Hume Planning Scheme - Nos. L2, L4, L7, L8, L9  
 Kingston Planning Scheme - Nos. L4, L8, L14  
 Knox Planning Scheme - Nos. L52, L61, L90, L105, L111, L114  
 Lillydale Planning Scheme - Nos. L160, L161, L170  
 Maffra Planning Scheme - No. L30  
 Maroondah Consolidation Amendment  
 Maroondah Planning Scheme - No. L1  
 Melbourne Planning Scheme - Nos. L167, L171, L206, L212, L217, L218, L220, L221, L222, L223  
 Melton Planning Scheme - Nos. L58, L66, L68, L70  
 Mitchell Planning Scheme - No. L19  
 Moira Planning Scheme - No. L13  
 Monash Planning Scheme - Nos. L1, L2, L10  
 Moonee Valley Planning Scheme - Nos. L2, L5, L7, L11, L12, L13, L16  
 Moorabbin Planning Scheme - No. L60  
 Moreland Planning Scheme - Nos. L19, L21  
 Mornington Planning Scheme - Nos. L56, L64  
 Pakenham Planning Scheme - No. L117  
 Port Phillip Planning Scheme - Nos. L7, L18, L21, L26, L28, L29  
 Port of Melbourne Planning Scheme - No. L16  
 Ringwood Planning Scheme - No. L49  
 Rodney Planning Scheme - Nos. L90, L91  
 Sale Planning Scheme - No. L27  
 Shepparton City Planning Scheme - No. L59  
 Shepparton Shire Planning Scheme - No. L80  
 Sherbrooke Planning Scheme - Nos. L100, L124  
 South Gippsland Planning Scheme - No. L36  
 Springvale Planning Scheme - Nos. L98, L109  
 Stawell (Shire) Planning Scheme - No. L15  
 Stonnington Planning Scheme - Nos. L13, R173  
 Surf Coast Planning Scheme - No. RL36  
 Swan Hill (Shire) Planning Scheme - No. L23  
 Traralgon (City) Planning Scheme - No. L65  
 Traralgon (Shire) Planning Scheme - Nos. L49 Part 1, L51 Part 1  
 Warracknabeal Planning Scheme - No. L8  
 Warragul Planning Scheme - No. L32 Part 2  
 Warrnambool Planning Scheme - No. L14

Werribee Planning Scheme - Nos. L91, L98  
 Whitehorse Planning Scheme - No. L1  
 Woorayl Planning Scheme - No. L50  
 Yarra Planning Scheme - Nos. L9, L10, L23  
 Yarra Ranges Amalgamation Amendment  
 Yarra Ranges Planning Scheme - Nos. L3, L5, L21

Project Development and Construction Management Act 1994 - Orders in Council under sections 6 and 8 respectively, relating to the National Gallery of Victoria Upgrade

State Employees Retirement Benefits Fund - Report on the actuarial investigation for the year 1994/95

Statutory Rules under the following Acts:

Administrative Appeals Tribunal Act 1984 - S.R. No. 70  
 Agricultural and Veterinary Chemicals (Control of Use) Act 1992 - S.R. No. 71  
 Alpine Resorts Act 1983 - S.R. No. 43  
 Cemeteries Act 1958 - S.R. No. 48  
 Conservation, Forests and Lands Act 1987 - S.R. No. 78  
 County Court Act 1958 - S.R. No. 56  
 Drugs, Poisons and Controlled Substances Act 1981 - S.R. No. 47  
 Education Act 1958 - S.R. No. 54  
 Electricity Industry Act 1993 - S.R. No. 72  
 Environment Protection Act 1970 - S.R. No. 66  
 Financial Institutions Duty Act 1982 - S.R. No. 61  
 Firearms Act 1958 - S.R. Nos. 76, 77  
 Health Act 1958 - S.R. Nos. 49, 50  
 Local Government Act 1989 - S.R. No. 55  
 Magistrates' Court Act 1989 - S.R. No. 73  
 Mental Health Act 1986 - S.R. No. 51  
 Parliamentary Salaries and Superannuation Act 1968 - S.R. Nos. 64, 74, 75  
 Prevention of Cruelty to Animals Act 1986 - S.R. No. 52  
 Sentencing Act 1991 - S.R. No. 46  
 Subdivision Act 1988 - S.R. No. 65  
 Supreme Court Act 1986 - S.R. Nos. 57, 58, 59  
 Treasury Corporation of Victoria Act 1992 - S.R. No. 45  
 Wildlife Act 1975 - S.R. No. 60  
 Zoological Parks and Gardens Act 1995 - S.R. No. 53

Subordinate Legislation Act 1994 -

Ministers' exemption certificates in relation to Statutory Rule Nos. 47, 51, 52, 55, 60, 61, 64, 65, 74, 75, 76, 77, 78

Ministers' exception certificates in relation to Statutory Rule Nos. 46, 48, 49, 50, 56, 57, 58, 59, 70, 73

Transport Act 1983 - Order for Transfer of Assets and Liabilities pursuant to section 81 (two papers)

Victorian Psychological Council and Psychologists Registration Board - Report and Financial Statement for the year 1995.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Accident Compensation (Amendment) Act 1996 - Sections 3(1), (4) and (5), 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 25, 26, 28, 30, 34, 35, 36, 37, 39, 41, 43, 44, 45, 46, 48, 49, 50, 52, 53, 54, 55(1) and 58 on 25 June 1996. Sections 20, 21, 24, 29, 31, 38, 47, 51,

- 55(2), 56 and 57 on 1 July 1996. Section 19 on 1 August 1996 (*Gazette No. S71, 25 June 1996*)
- Accident Compensation (Occupational Health and Safety) Act 1996 - Remaining provisions on 2 July 1996 (*Gazette No. S75, 2 July 1996*) (*Gazette No. G26, 4 July 1996*)
- Agricultural and Veterinary Chemicals (Control of Use) Act 1992 - Remaining provisions (except for sections 41 and 78(4)(a)(b) and (c) on 1 August 1996 (*Gazette No. S89, 1 August 1996*)
- Consumer Credit (Victoria) Act 1995 - Remaining provisions on 1 November 1996 (*Gazette No. G34, 29 August 1996*)
- Dangerous Goods Act 1985 - Item 7 of Schedule 1 on 22 August 1996 (*Gazette No. G33, 22 August 1996*)
- Fisheries Act 1995 - Sections 90, 91, 92, 93, 94, 160(1) and (2), 160(3)(c), 160(4), (5), (6), (7), (8) and (9), 160(11) and Schedule 1 on 1 August 1996 (*Gazette No. G30, 1 August 1996*)
- Land Revocations (And Other Matters) Act 1995 - Part 4 on 27 June 1996 (*Gazette No. G25, 27 June 1996*)
- Land Revocations (And Other Matters) Act 1995 - Sections 16, 17, 18 and 19 on 1 August 1996 (*Gazette No. G30, 1 August 1996*)
- Mental Health (Amendment) Act 1995 - Remaining provisions on 1 July 1996 (*Gazette No. G25, 27 June 1996*)
- Planning Authorities Repeal Act 1994 - Section 7 on 1 July 1996 (*Gazette No. G25, 27 June 1996*)
- Police Regulation (Selection and Review) Act 1996 - Remaining provisions on 2 August 1996 (*Gazette No. G30, 1 August 1996*)
- Port Services Act 1995 - Sections 145(1), 152(1), 152(4)-152(7), 152(10)-152(13), 144(9) on 26 June 1996 (*Gazette No. S71, 25 June 1996*)
- Road Safety (Wheel Clamping) Act 1996 - Whole Act (except for Sections 1 and 2 which are already in operation) on 1 August 1996 (*Gazette No. G30, 1 August 1996*).

**7 MESSAGES FROM THE LEGISLATIVE COUNCIL - Agreeing to the following Bills without amendment:**

- Accident Compensation (Occupational Health and Safety) Bill
- Appropriation (Interim 1996/97) Bill
- Appropriation (Parliament) (Interim 1996/97) Bill
- Westpac and Bank of Melbourne (Challenge Bank) Bill
- Miscellaneous Acts (Omnibus Amendments) Bill
- Police Regulation (Selection and Review) Bill
- Gaming Acts (Amendment) Bill
- Ballarat Lands (Lakeside Development) Bill
- Gaming Machine Control (Community Support Fund) Bill
- Firearms (Prohibited Firearms) Bill
- Melbourne City Link (Amendment) Bill
- Public Sector Management and Parliamentary Officers (Amendment) Bill
- Accident Compensation (Amendment) Bill
- Forests (Wood Pulp Agreement) Bill.

- 8 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Acquainting the Assembly that they have concurred with the Assembly in the appointment of Mr Douglas N Bartley to conduct the financial audit of the Victorian Auditor-General's office.
- 9 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- On 25 June 1996
- Appropriation (Interim 1996/97) Bill
  - Appropriation (Parliament) (Interim 1996/97) Bill
  - Accident Compensation (Amendment) Bill
  - Electricity Industry (Amendment) Bill
  - Parliament House Completion Authority Bill
  - State Taxation (Omnibus Amendment) Bill
  - Victorian Managed Insurance Authority Bill
  - Water Acts (Amendment) Bill
- On 28 June 1996
- Accident Compensation (Occupational Health and Safety) Bill.
- 10 **MESSAGE FROM THE LIEUTENANT-GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- On 2 July 1996
- Ballarat Lands (Lakeside Development) Bill
  - Firearms (Prohibited Firearms) Bill
  - Forests (Wood Pulp Agreement) Bill
  - Gaming Acts (Amendment) Bill
  - Gaming Machine Control (Community Support Fund) Bill
  - Health Acts (Amendment) Bill
  - Housing (Amendment) Bill
  - Melbourne City Link (Amendment) Bill
  - Miscellaneous Acts (Omnibus Amendments) Bill
  - Police Regulation (Selection and Review) Bill
  - Public Sector Management and Parliamentary Officers (Amendment) Bill
  - Road Safety (Wheel Clamping) Bill
  - Westpac and Bank of Melbourne (Challenge Bank) Bill.
- 11 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
- Legal Practice Bill
  - Melbourne Exhibition Centre (Amendment) Bill
  - Transport (Rail Safety) Bill.
- 12 **GRIEVANCES** - Motion made, by leave, and question - That for the purposes of Sessional Order No. 4(1), Wednesday, 11 September 1996 and Wednesday, 20 November 1996 be appointed days upon which the question "That grievances be noted" may be put (*Mr Gude*) - put and agreed to.

- 
- 13 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 12 September 1996:
- Melbourne Exhibition Centre (Amendment) Bill
  - Forestry Rights Bill
  - Legal Practice Bill
  - Transport (Rail Safety) Bill
  - Statute Law Revision (Marine) Bill
  - Children's Services Bill
  - Local Government (Amendment) Bill
- (Mr Gude) - put and agreed to.
- 14 **MELBOURNE EXHIBITION CENTRE (AMENDMENT) BILL** - 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, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 16 **FORESTRY RIGHTS BILL** - 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, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Legal Practice Bill.
- 18 **LEGAL PRACTICE BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Motion made and question - That the debate be now adjourned (Mr Hulls) - put and agreed to.
- Ordered - That the debate be adjourned until later this day.
- 19 **TRANSPORT (RAIL SAFETY) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr McGrath (*Wimmera*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Debate resumed on question - That this Bill be now read a second time.
- Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 20 **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 His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 15 *ante*); debate resumed.
- Motion made and question - That the debate be now adjourned (*Mr Traynor*) - put and agreed to.
- Ordered - That the debate be adjourned until tomorrow.
- 21 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr McGrath, Wimmera*) - put and agreed to.
- 22 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 11.01 p.m., adjourned until tomorrow.

PHILIP J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## No. 16 - Wednesday, 11 September 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Re-introduction of Capital Punishment** - Seeking that the Government take action to re-introduce capital punishment, bearing 705 signatures (*by Mr McLellan, Frankston East*)
- Wangaratta Base Hospital** - Seeking that funding be increased to the Wangaratta Base Hospital, bearing 6,890 signatures (*by Mr Jasper*)
- AMCOR Pty. Ltd.** - Seeking that AMCOR Pty. Ltd. be denied planning permits to clear about 2000 hectares of native bushland located throughout several Gippsland Shires, bearing 541 signatures (*by Mr Finn*)
- Williamstown Hospital** - Seeking that the Williamstown Hospital not be downgraded, closed or any existing services eliminated, bearing 1,362 signatures (*by Mr Bracks*)
- Severally ordered to lie on the Table.
- 3 **GRIEVANCES** - Question - That grievances be noted - put, after debate, and agreed to.
- 4 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 5 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Appropriation (1996/97, No.1) Bill, with accompanying Estimates of Expenditure requiring annual appropriation in the financial year 1996-97 for recurrent services and for certain works and services.
- Estimates ordered to lie on the Table.

- 6 **APPROPRIATION (1996/97, No. 1) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "*to appropriate certain sums out of the Consolidated Fund for recurrent services and for certain works and services for the financial year 1996/97 and to appropriate the supplies granted for recurrent services and for certain works and services under the Appropriation (Interim 1996/97) Act 1996 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time forthwith.

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

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

Ordered - That the debate be adjourned until tomorrow.

- 7 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Appropriation (Parliament 1996/97, No. 1) Bill, with accompanying Estimates of Expenditure requiring annual appropriation in the financial year 1996/97 for recurrent services and for certain works and services.

Estimates ordered to lie on the Table.

- 8 **APPROPRIATION (PARLIAMENT 1996/97, No. 1) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "*to appropriate moneys out of the Consolidated Fund for recurrent services and for certain works and services for the Parliament for the financial year 1996/97 and to appropriate the supplies granted for recurrent services and for certain works and services under the Appropriation (Parliament) (Interim 1996/97) Act 1996 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time forthwith.

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

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

Ordered - That the debate be adjourned until tomorrow.

- 9 **SHOP TRADING REFORM BILL** - Mr Gude obtained leave, with Mr Kennett, to bring in a Bill "*to provide for the management of shop trading in Victoria, to repeal the Shop Trading Act 1987 and the Capital City (Shop Trading) Act 1992 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 **GEE LONG LANDS (STEAMPACKET PLACE) BILL** - Mrs Tehan obtained leave, with Mr Kennett, to bring in a Bill "*to enable the granting of long term leases for certain land in Geelong and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 11 **STATE TAXATION (FURTHER OMNIBUS AMENDMENT) BILL** - Mr Stockdale, pursuant to a motion moved on his behalf by Mr Kennett, obtained leave, with Mr Gude, to bring in a Bill "*to amend the Business Franchise (Petroleum Products) Act 1979, to make further miscellaneous amendments to the Business Franchise (Tobacco) Act 1974, the Financial Institutions Duty Act 1982, the Land Tax Act 1958, the Pay-roll Tax Act 1971 and the Stamps Act 1958 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 12 **BANK OF SOUTH AUSTRALIA AND ADVANCE BANK BILL** - Mr Stockdale, pursuant to a motion moved on his behalf by Mr Kennett, obtained leave, with Mr Gude to bring in a Bill "*to extend the operation of a South Australian Act dealing with the merger of the Bank of South Australia and Advance Bank and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **GAMING MACHINE CONTROL (AMENDMENT) BILL** - Mr Kennett, after debate, obtained leave, with Mr Gude, to bring in a Bill "*to further amend the Gaming Machine Control Act 1991 with respect to the Community Support Fund and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **ROAD SAFETY (AMENDMENT) BILL** - Mr Brown obtained leave, with Mr Gude, to bring in a Bill "*to amend the Road Safety Act 1986, the Transport Act 1983, the Impounding of Livestock Act 1994, the Road Transport Charges (Victoria) Act 1995 and the Road Transport (Dangerous Goods) Act 1995 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **BUILDING (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr Gude, to bring in a Bill "*to amend the Building Act 1993, the Water Act 1989 and the Water Industry Act 1994 and to repeal the Building Control (Plumbers Gasfitters and Drainers) Act 1981 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **PROFESSIONAL BOXING AND MARTIAL ARTS BILL** - Mr Reynolds obtained leave, with Mr Brown, to bring in a Bill "*to amend and rename the Professional Boxing Control Act 1985 and to repeal the Martial Arts Control Act 1986 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 **CORRECTIONS (AMENDMENT) BILL** - Mr McGrath (*Wimmera*) obtained leave, with Mr Gude, to bring in a Bill "*to further amend the Corrections Act 1986, to repeal the Victorian Prison Industries Commission Act 1983 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 **STATUTE LAW REVISION (MARINE) BILL** - 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, read a third time forthwith.  
 Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 19 **CHILDREN'S SERVICES BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee.  
 Committee reported progress; to sit again later this day.
- 20 **LOCAL GOVERNMENT (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, leave having been granted for the third reading to be proposed forthwith -  
 Motion made and question - That this Bill be now read a third time (*Mr Maclellan, Pakenham*) - put.

The House divided.

AYES, 52

Mr Andrighetto	Mr John	Mr Paterson	Mr Spry
Mr Ashley	Mr Kennett	Mr Perrin	Mr Steggall
Mr Brown	Mr Lean	Mr Pescott	Mr Stockdale
Mr Clark	Mr Lupton	Mrs Peulich	Mrs Tehan
Mr Coleman	Mr McArthur	Mr Phillips	Mr Thompson
Mr Cooper	Ms McCall	Mr Plowman	Mr Traynor
Dr Dean	Mrs McGill	(Benambra)	Mr Treasure
Mr Doyle	Mr McGrath	Mr Reynolds	Mrs Wade
Mr Elder	(Wimmera)	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	(Frankston East)	Mr Ryan	
Mr Gude	Mr McNamara	Mrs Shardey	
Mrs Henderson	Mr Maclellan	Mr Smith	
Mr Honeywood	(Pakenham)	(Glen Waverley)	Tellers
Mr Jasper	Mr Maughan	Mr Smith	Ms Burke
Mr Jenkins	Dr Napthine	(Polwarth)	Mr Dixon

NOES, 27

Mr Andrianopoulos	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Batchelor	Ms Gillett	Mrs Maddigan	
Mr Bracks	Mr Haermeyer	Mr Micallef	
Mrs Campbell	Mr Hamilton	Mr Mildenhall	
Mr Carli	Mr Hulls	Mr Savage	
Mr Cole	Ms Kosky	Mr Seitz	Tellers
Mr Cunningham	Mr Langdon	Mr Sheehan	Mr Cameron
Mr Dollis	Mr Leighton	Mr Thwaites	Mr Lim

And so it was resolved in the affirmative - Bill read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 21 **LEGAL PRACTICE BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move further amendments in Committee 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 10.00 p.m.  
pursuant to Sessional Orders.*

- 22 **ADJOURNMENT** - Mr Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.00 p.m.

PHILIP J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## No. 17 - Thursday, 12 September 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
  - Gun Control** - Seeking that the moves by the Police Ministers Council to tighten gun laws through the banning of fully and semi-automatic weapons and the introduction of nation-wide shooters licence and gun registration systems be supported by the House, bearing 624 signatures (*by Mr Dixon*)
  - Altona District Hospital** - Seeking that the Government makes a commitment to keep the Altona District Hospital open and increase patient numbers and opening hours, bearing 1,440 signatures (*by Ms Kosky*)
  - Shire of Moira** - Seeking that the adoption of three ridings and nine councillors be the option to ensure effective local representation in the Shire of Moira, bearing 2,496 signatures (*by Mr Jasper*).

Severally ordered to lie on the Table.
- 3 **PAPER** - The following Paper, pursuant to a direction of an Act of Parliament, was laid upon the Table by the Clerk:
  - Melbourne City Link Act 1995 - Order pursuant to section 8(4) decreasing the Project area dated 20 August 1996 (two papers).
- 4 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 8 October 1996 (*Mr Gude*) - put and agreed to.
- 5 **LEGAL PRACTICE BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to ensure the independence of the legal profession and its freedom from unnecessary interference by Government and to ensure there is no increase in the cost of justice as result of the proposed reforms" (*Mr Hulls*) - and, after debate -
  - Motion made and question - That the debate be now adjourned (*Mr Ryan*) - put and agreed to.
  - Ordered - That the debate be adjourned until later this day.
- 6 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

- 7 **SHOP TRADING REFORM BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).

*Mr Gude made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*

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

Motion made and question - That the debate be adjourned for two weeks (*Mr Gude*) - put.

The House divided.

AYES, 45

Mr Ashley	Mr Jenkins	Mr Perrin	Mr Spry
Mr Brown	Mr John	Mr Pescott	Mrs Tehan
Ms Burke	Mr Kilgour	Mrs Peulich	Mr Thompson
Mr Clark	Mr Lean	Mr Plowman	Mr Traynor
Mr Coleman	Mr Lupton	( <i>Benambra</i> )	Mr Treasure
Mr Cooper	Mr McArthur	Mr Reynolds	Mrs Wade
Dr Dean	Mrs McGill	Mr Rowe	
Mr Dixon	Mr McGrath	Mr Ryan	
Mr Doyle	( <i>Wimmera</i> )	Mr Savage	
Mr Elder	Mr McLellan	Mrs Shardey	
Mr Finn	( <i>Frankston East</i> )	Mr Smith	
Mr Gude	Mr Maughan	( <i>Glen Waverley</i> )	<i>Tellers</i>
Mrs Henderson	Dr Napthine	Mr Smith	Mr Andrighetto
Mr Jasper	Mr Paterson	( <i>Polwarth</i> )	Mrs McCall

NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mrs Wilson
Mr Batchelor	Mr Dollis	Mr Lim	
Mr Bracks	Ms Garbutt	Mr Loney	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mr Cameron	Mr Hamilton	Mr Mildenhall	
Mrs Campbell	Mr Hulls	Mr Seitz	<i>Tellers</i>
Mr Carli	Ms Kosky	Mr Sheehan	Ms Gillett
Mr Cole	Mr Langdon	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Ordered - That the debate to adjourned until Thursday, 26 September 1996.

- 8 **GEELONG LANDS (STEAMPACKET PLACE) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).

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

Ordered - That the debate be adjourned until Thursday, 26 September 1996.

- 9 **STATE TAXATION (FURTHER OMNIBUS AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).

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

Ordered - That the debate be adjourned until Thursday, 26 September 1996.

- 10 **BANK OF SOUTH AUSTRALIA AND ADVANCE BANK BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).  
 Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 26 September 1996.
- 11 **GAMING MACHINE CONTROL (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).  
 Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 26 September 1996.
- 12 **ROAD SAFETY (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).  
 Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 26 September 1996.
- 13 **BUILDING (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).  
*Mr Brown made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*  
 Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 26 September 1996.  
*Business having been interrupted at 2.00 p.m.  
 pursuant to Sessional Orders.*
- 14 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 15 **APPROPRIATION (1996/97, No. 1) BILL** - 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 Batchelor*) - put and agreed to.  
 Ordered - That the debate be adjourned until later this day.
- 16 **LEGAL PRACTICE BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to ensure the independence of the legal profession and its freedom from unnecessary interference by Government and to ensure there is no increase in the cost of justice as result of the proposed reforms"; debate resumed.  
*Allocation of time - The Acting Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 10 September 1996 had expired.*  
 Question - That the words proposed to be omitted stand part of the question - put.

The House divided.

AYES, 48

Mr Andrighetto	Mr Jenkins	Mr Maughan	Mr Thompson
Mr Ashley	Mr John	Dr Napthine	Mr Traynor
Mr Brown	Mr Kilgour	Mr Paterson	Mr Treasure
Ms Burke	Mr Lean	Mr Perrin	Mrs Wade
Mr Clark	Mr Lupton	Mr Pescott	Mr Wells
Mr Coleman	Mr McArthur	Mrs Peulich	
Mr Cooper	Ms McCall	Mr Reynolds	
Dr Dean	Mrs McGill	Mr Richardson	
Mr Doyle	Mr McGrath	Mr Rowe	
Mr Elder	(Wimmera)	Mr Ryan	
Mrs Elliott	Mr McLellan	Mr Savage	
Mr Finn	(Frankston East)	Mr Smith	
Mrs Henderson	Mr McNamara	(Glen Waverley)	Tellers
Mr Honeywood	Mr Maclellan	Mr Spry	Mr Dixon
Mr Jasper	(Pakenham)	Mrs Tehan	Mr Phillips

NOES, 26

Mr Andrianopoulos	Mr Cole	Mr Hulls	Mr Seitz
Mr Batchelor	Mr Cunningham	Ms Kosky	Mr Sheehan
Mr Bracks	Mr Dollis	Mr Langdon	Mr Thwaites
Mr Brumby	Ms Garbutt	Mr Leighton	
Mr Cameron	Ms Gillett	Mr Loney	Tellers
Mrs Campbell	Mr Haermeyer	Mr Micallef	Mr Lim
Mr Carli	Mr Hamilton	Mr Mildenhall	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Question - That Government amendments 1 to 146, 146A, 147 to 151, 151A and 152 to 158 be agreed to - 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.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

17 **CHILDREN'S SERVICES BILL** - Question - That Clause 1 and Clauses 2 to 61 stand part of Bill, the Bill be read a third time and be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

18 **PROFESSIONAL BOXING AND MARTIAL ARTS BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).

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

Ordered - That the debate be adjourned until Thursday, 26 September 1996.

- 
- 19 **CORRECTIONS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).
- Motion made and question - That the debate be now adjourned (*Mr Haermeyer*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 26 September 1996.
- 20 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 21 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 5.26 p.m., adjourned until Tuesday, 8 October 1996.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. FLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS Nos. 18, 19 and 20

### No. 18 - Tuesday, 8 October 1996

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:

**Towong Shire Council** - Seeking that a decision on the proposal to relocate the administrative centre of the Towong Shire Council be deferred until an independent report has been prepared on all relevant matters, bearing 1,211 signatures (*by Mr Plowman, Benambra*)

**Sunday Trading** - Seeking that the Government not promote or allow Sunday Trading and that the City of Greater Bendigo be declared a "Sunday Trading Free Zone", bearing 7,511 signatures (*by Mr John*)

**Support for the Elderly and Terminally Ill** - Seeking that the dignity of the elderly and terminally ill be supported by the provision of appropriate counselling and medical treatment and that the act of euthanasia remain a criminal offence, bearing 11,966 signatures (*by Mr Perrin*)

**Public Dental Health Funding** - Seeking that the level of public dental health funding be restored, bearing 115 signatures (*by Mr Loney*).

Severally ordered to lie on the Table.

- 4 **PETITION - SUNDAY TRADING** - Motion made and question - That the petition presented by the Member for Bendigo East relating to Sunday Trading be taken into consideration tomorrow (*Mr Cameron*) - put and agreed to.
- 5 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Sheehan brought up a Report from the Public Accounts and Estimates Committee on the Public Record Office Victoria, together with Appendices and Minutes of Evidence.  
Ordered to lie on the Table and the Report and Appendices to be printed.
- 6 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up two Reports from the Scrutiny of Acts and Regulations Committee:

Report being the Alert Digest No. 5 of 1996 on the -

Appropriation (Parliament 1996/97, No. 1) Bill  
Appropriation (1996/97, No. 1) Bill  
Geelong Lands (Steampacket Place) Bill  
Gaming Machine Control (Amendment) Bill  
Bank of South Australia and Advance Bank Bill  
Shop Trading Reform Bill

Professional Boxing and Martial Arts Bill  
 Building (Amendment) Bill  
 Corrections (Amendment) Bill  
 State Taxation (Further Omnibus Amendment) Bill  
 Road Safety (Amendment) Bill

together with an Appendix

Report on The Review of The Evidence Act 1958 and Review of the Role and Appointment of Public Notaries, October 1996, together with Appendices.

Severally ordered to lie on the Table and to be printed.

**7 PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Chiropractors and Osteopaths Registration Board - Report for the year 1995

Financial Management Act 1994 - Budget Paper No. 3 1996-97

Gas Transmission Corporation - Report for the year 1995-96

Members of Parliament (Register of Interests) Act 1978 - Summary of Returns June 1996 and Summary of Variations notified between 20 June and 30 September 1996 - Ordered to be printed

Parliamentary Officers Act 1975 -

Statement of Appointments and Alterations of Classifications during the year 1995-96 in the -

Department of the Legislative Council

Department of the Legislative Assembly

Department of the Parliament Library

Department of the House Committee

Department of the Reporting Staff of the Victorian Parliamentary Debates

Statement of Persons Temporarily Employed during the year 1995-96 in the -

Department of the Legislative Council

Department of the Legislative Assembly

Department of the Parliament Library

Department of the House Committee

Department of the Reporting Staff of the Victorian Parliamentary Debates

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

Alexandra Planning Scheme - No. L38

Ballan Planning Scheme - No. L15

Ballarat Planning Scheme - Nos. L7, L14

Beechworth Planning Scheme - No. L27

Berwick Planning Scheme - No. L107

Boroondara Planning Scheme - Nos. L1, L7, L17

Brimbank Planning Scheme - No. L22

Buln Buln Planning Scheme - No. L45

Colac Otway Planning Scheme - No. L2

Cranbourne Planning Scheme - Nos. L100 Part 3, L111, L130, L192

Darebin Planning Scheme - Nos. L6, L25

Delatite Planning Scheme - Nos. L1 Part 1, L6

Doncaster and Templestowe Planning Scheme - Nos. L92, L105

Eltham Planning Scheme - No. L53

Flinders Planning Scheme - No. RL176  
Frankston Planning Scheme - Nos. L52, L77  
Glen Eira Planning Scheme - No. L6  
Greater Bendigo Planning Scheme - No. L40  
Greater Dandenong Planning Scheme - No. L3  
Greater Geelong Planning Scheme - No. RL157  
Hastings Planning Scheme - No. L58 Part 1, L93  
Hume Planning Scheme - No. L5  
Knox Planning Scheme - Nos. L106, L112  
Korumburra Planning Scheme - Nos. L56, L66  
Maribyrnong Planning Scheme - No. L15  
Moirra Planning Scheme - No. L9  
Moonee Valley Planning Scheme - No. L15  
Moreland Planning Scheme - No. L16  
Orbost Planning Scheme - No. L25  
Pakenham Planning Scheme - No. L115  
Phillip Island Planning Scheme - No. L68  
Port Phillip Planning Scheme - Nos. L11, L38  
Shepparton Shire Planning Scheme - No. L73  
Sherbrooke Planning Scheme - No. L102  
Warragul Planning Scheme - No. L51  
Whitehorse Planning Scheme - Nos. L2, L10  
Whittlesea Planning Scheme - Nos. L124, L129  
Wodonga Rural City Planning Scheme - Nos. L9 Part 1, L12  
Yallourn Works Area Planning Scheme - No. L3  
Yarra Planning Scheme - No. L24  
Yarra Ranges Planning Scheme - Nos. L8, L18, L23, L24, L27, L29, L30, L31, L33  
Yea Planning Scheme - No. L8

Powercor Australia Limited - Financial Statements for the period ended 30 September 1995

Rural Finance Corporation - Report for the year 1995-96

State Owned Enterprises Act 1992 - Memorandum and articles of association of Overseas Projects Corporation of Victoria Limited (two papers)

Statutory Rules under the following Acts:

Audit Act 1994 - S.R. No. 80  
Casino Control Act 1991 - S.R. No. 92  
Drugs, Poisons and Controlled Substances Act 1981 - S.R. No. 81  
Financial Institutions Duty Act 1982 - S.R. No. 84  
Health Act 1958 - S.R. No. 93  
Land Act 1958 - S.R. No. 79  
Liquor Control Act 1987 - S.R. No. 97  
Parliamentary Salaries and Superannuation Act 1968 - S.R. No. 82  
Public Sector Management Act 1992 - S.R. No. 68  
Road Safety Act 1986 - S.R. Nos. 69, 83  
State Employees Retirement Benefits Act 1979 - S.R. No. 94  
State Superannuation Act 1988 - S.R. No. 95  
Subordinate Legislation Act 1994 - S.R. No. 91  
Transport Superannuation Act 1988 - S.R. No. 96  
Wildlife Act 1975 - S.R. No. 67

Subordinate Legislation Act 1994 -

Ministers' exemption certificates in relation to Statutory Rule Nos. 67, 68, 82, 84, 92  
 Trade Unions Act 1958 - Report of the Registrar for the year 1995-96  
 Treasury Corporation of Victoria - Report for the year 1995-96  
 Victorian Power Exchange - Report for the year 1995-96  
 Werribee Cemetery Trust - Report for the period ended 30 June 1995  
 Wildlife Act 1975 -  
     Wildlife (Closure of Area to Hunting with Hounds) Notice No. 2 1996  
     Wildlife (Closure of Area to Hunting) Notice No. 3 1996  
 Yallourn Energy Limited - Report for the period ended 29 February 1996  
 Yarra Valley Water - Report for the year 1995-96  
 Young Farmers' Finance Council - Report for the year 1995-96

The following proclamation fixing an operative date was laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Land Revocations (And Other Matters) Act 1995 - Section 9 on 19 September 1996  
*(Gazette No. G37, 19 September 1996).*

- 8 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILL** - Informing the Assembly that he had, on 24 September 1996, given the Royal Assent to the Statute Law Revision (Marine) Bill, presented to him by the Clerk of the Parliaments.
- 9 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
- Bank of South Australia and Advance Bank Bill
  - Corrections (Amendment) Bill
  - Geelong Lands (Steampacket Place) Bill
  - Professional Boxing and Martial Arts Bill
  - State Taxation (Further Omnibus Amendment) Bill.
- 10 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 10 October 1996:
- Appropriation (1996/97, No. 1) Bill
  - Appropriation (Parliament 1996/97, No. 1) Bill
  - Geelong Lands (Steampacket Place) Bill
  - State Taxation (Further Omnibus Amendment) Bill
  - Bank of South Australia and Advance Bank Bill
  - Road Safety (Amendment) Bill
- (Mr Gude)* - put and agreed to.
- 11 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

- 12 **APPROPRIATION (1996/97, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 13 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.25 p.m.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 19 - Wednesday, 9 October 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:  
     Australian Grand Prix Corporation - Report for the year 1995-96  
     Planning and Environment Act 1987 - Amendment Nos. 91, 92, 93, 94 and 95 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan (five papers).
- 3 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Forestry Rights Bill without amendment.
- 4 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Transmitting a Bill "to repeal the *Farm Produce Wholesale Act 1990* and to make interim arrangements for the administration of that Act by the Melbourne Market Authority until its repeal, to make consequential amendments to the *Melbourne Market Authority Act 1977* and for other purposes".
- 5 **FARM PRODUCE WHOLESALE (AMENDMENT) BILL** - On the motion of Mr McNamara, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 6 **EDUCATION POLICIES** - Motion made and question proposed - That this House condemns the Kennett Government for its education policies which have resulted in - (a) increased class sizes in primary and secondary schools; (b) the loss of specialist teachers; (c) a decline in Year 12 retention rates; and (d) huge differences in educational outcomes between regions (*Mr Mildenhall*) - and, after debate -  
     *General Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*
- 7 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 8 **EDUCATION (AMENDMENT) BILL** - Mr Gude, after debate, obtained leave with Mr Honeywood, to bring in a Bill "*to amend the Education Act 1958 to make provision for work placements for secondary school pupils and to make further provision for overseas students and to amend the Accident Compensation Act 1985 and the Accident Compensation (WorkCover Insurance) Act 1993 to make further provision for pupils in the work place and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **CHILDREN AND YOUNG PERSONS (MISCELLANEOUS AMENDMENTS) BILL** - Dr Napthine obtained leave, with Mr Gude, to bring in a Bill "*to amend the Children and Young Persons Act 1989 and the Corrections Act 1986, to repeal the Youth Affairs Act 1986 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **CRIMES (FEMALE GENITAL MUTILATION) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to amend the Crimes Act 1958 to make provision with respect to female genital mutilation and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **COURTS AND TRIBUNALS (GENERAL AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to amend the Administrative Appeals Tribunal Act 1984, the Appeal Costs Act 1964, the Coroners Act 1985, the County Court Act 1958, the Court Security Act 1980, the Criminal Injuries Compensation Act 1983, the Magistrates' Court Act 1989 and the Supreme Court Act 1986, to repeal the Judicial Studies Board Act 1990 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **LAND (REVOCAION OF RESERVATIONS) BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to revoke reservations over various areas of land and various Crown grants and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **NORTH MELBOURNE LANDS BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to revoke the permanent reservations over certain land at North Melbourne, to repeal Act No. 973 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **SMALL BUSINESS VICTORIA (REPEAL) BILL** - Mr Reynolds obtained leave, with Mr Stockdale, to bring in a Bill "*to repeal the Small Business Victoria Act 1976 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **UNIVERSITY ACTS (AMENDMENT) BILL** - Mr Honeywood obtained leave, with Mr Gude, to bring in a Bill "*to merge part of the Hawthorn Institute of Education into The University of Melbourne, to amend the Acts establishing universities to make further provision for the Governor to act as Visitor of those universities and to make miscellaneous amendments to those Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **PORT SERVICES AND MARINE (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Reynolds, to bring in a Bill "*to amend the Port Services Act 1995 and the Marine Act 1988,*

to make a consequential amendment to the *Water Industry Act 1994* and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 17 **STATE TAXATION (FURTHER OMNIBUS AMENDMENT) BILL** - Motion made, by leave, and question - That - (a) contingent upon the State Taxation (Further Omnibus Amendment) Bill being committed, it be an instruction to the Committee that they have power to; or (b) upon further consideration of the Bill pursuant to Sessional Order 6, the House shall - consider amendments and New Clauses to provide for - (a) amendments to the Second Schedule to the *Land Tax Act 1958* which increase to 50 per centum the upper cap on land tax movements; and (b) amendments to sections 131AA, 131AB and 131AC of the *Stamps Act 1958* which - (i) halve the rate of rental business duty and alter the thresholds for payment of the duty; and (ii) restrict the exemption in relation to hire purchase agreements principally to agreements for domestic or farming purposes (*Mr Stockdale*) - put and agreed to.

- 18 **GEELONG LANDS (STEAMPACKET PLACE) BILL** - 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 Brumby*) - and, after debate.

Question - put.

The House divided.

AYES, 29

Mr Andrianopoulos	Mr Cole	Ms Kosky	Mr Sheehan
Mr Baker	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Loney	Mrs Wilson
Mr Bracks	Ms Garbutt	Mr Micallef	
Mr Brumby	Ms Gillett	Mr Mildenhall	
Mr Cameron	Mr Haermeyer	Mr Pandazopoulos	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Savage	Mr Langdon
Mr Carli	Mr Hulls	Mr Seitz	Mrs Maddigan

NOES, 57

Mr Andrighetto	Mr John	Mr Maughan	Mr Smith
Mr Ashley	Mr Kennett	Dr Napthine	( <i>Polwarth</i> )
Mr Brown	Mr Kilgour	Mr Paterson	Mr Spry
Mr Clark	Mr Lean	Mr Perrin	Mr Steggall
Mr Coleman	Mr Leigh	Mr Perton	Mr Stockdale
Mr Cooper	Mr Lupton	Mr Pescott	Mrs Tehan
Dr Dean	Mr McArthur	Mrs Peulich	Mr Thompson
Mr Dixon	Mrs McGill	Mr Phillips	Mr Traynor
Mr Doyle	Mr McGrath	Mr Plowman	Mr Treasure
Mr Elder	( <i>Warrnambool</i> )	( <i>Benambra</i> )	Mrs Wade
Mrs Elliott	Mr McGrath	Mr Reynolds	Mr Wells
Mr Finn	( <i>Wimmera</i> )	Mr Richardson	
Mr Gude	Mr McLellan	Mr Rowe	
Mrs Henderson	( <i>Frankston East</i> )	Mr Ryan	
Mr Honeywood	Mr McNamara	Mrs Shardey	<i>Tellers</i>
Mr Jasper	Mr Maclellan	Mr Smith	Ms Burke
Mr Jenkins	( <i>Pakenham</i> )	( <i>Glen Waverley</i> )	Ms McCall

And so it passed in the negative.

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

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 19 **ROAD SAFETY (AMENDMENT) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 20 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Transport (Rail Safety) Bill without amendment.

- 21 **BANK OF SOUTH AUSTRALIA AND ADVANCE BANK BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Mr Deputy Speaker ruled the Bill to be a Private Bill.

Motion made and question - That this Bill be treated as a Public Bill (*Mr Stockdale*) - put and agreed to.

Mr Deputy Speaker advised the House that a deposit of \$1,000 had been paid to the Department of the Legislative Assembly, pursuant to Standing Order No. 168(d) to meet the expenses involved in the passage of the Bill.

Debate resumed on question - That this Bill be now read a second time; Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 22 **APPROPRIATION (1996/97, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 23 **ADJOURNMENT** - Mr Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.01 p.m.

PHILIP J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## No. 20 - Thursday, 10 October 1996

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

- 2 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Auditor-General - Special Report No. 44 - Timeliness of Service Delivery: A customer's right - Ordered to be printed

Interpretation of Legislation Act 1984 - Notice under section 32(4)(a)(iii) in relation to Statutory Rule Nos. 81, 82/1995

Statutory Rules under the following Acts:

Gaming Machine Control Act 1991 - S.R. No. 100

Professional Boxing Control Act 1985 - S.R. No. 103

Road Safety Act 1986 - S.R. No. 102

Transport Act 1983 - S.R. No. 101

Water Industry Act 1994 - S.R. No. 99

Subordinate Legislation Act 1994 - Ministers' exemption certificates in relation to Statutory Rule Nos. 100, 101, 102, 103.

- 3 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the State Taxation (Further Omnibus Amendment) Bill.

- 4 **STATE TAXATION (FURTHER OMNIBUS AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Gude announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 5 **APPROPRIATION (1996/97, No. 1) BILL** - 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 p.m.  
pursuant to Sessional Orders.*

- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 7 **APPROPRIATION (1996/97, No. 1) BILL** - Debate continued on question - That this Bill be now read a second time.

*Member named and suspended* - The Member for Yan Yean (*Mr Haermeyer*) having been named by Mr Speaker for disregarding the authority of the Chair -

Motion made and question - That the Member for Yan Yean (*Mr Haermeyer*) be suspended from the service of the House (*Mr McGrath, Wimmera*) - put.

The House divided.

AYES, 56

Mr Andrighetto	Mr John	Dr Napthine	Mr Stockdale
Mr Ashley	Mr Kennett	Mr Paterson	Mrs Tehan
Mr Brown	Mr Kilgour	Mr Perrin	Mr Thompson
Ms Burke	Mr Lean	Mr Perton	Mr Traynor
Mr Clark	Mr Leigh	Mr Pescott	Mr Treasure
Mr Coleman	Mr Lupton	Mr Phillips	Mrs Wade
Mr Cooper	Mr McArthur	Mr Plowman	Mr Wells
Dr Dean	Ms McCall	(Benambra)	
Mr Dixon	Mr McGrath	Mr Reynolds	
Mr Doyle	(Warrnambool)	Mr Richardson	
Mr Elder	Mr McGrath	Mr Rowe	
Mrs Elliott	(Wimmera)	Mr Ryan	
Mr Finn	Mr McLellan	Mrs Shardey	
Mr Gude	(Frankston East)	Mr Smith	
Mrs Henderson	Mr McNamara	(Glen Waverley)	
Mr Honeywood	Mr Maclellan	Mr Smith	Tellers
Mr Jasper	(Pakenham)	(Polwarth)	Mrs McGill
Mr Jenkins	Mr Maughan	Mr Spry	Mrs Peulich

NOES, 29

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Seitz
Mr Baker	Mr Dollis	Mr Lim	Mr Sheehan
Mr Batchelor	Ms Garbutt	Mr Loney	Mr Thwaites
Mr Bracks	Mr Haermeyer	Mrs Maddigan	
Mr Brumby	Mr Hamilton	Mr Micallef	
Mrs Campbell	Mr Hulls	Mr Mildenhall	Tellers
Mr Carli	Ms Kosky	Mr Pandazopoulos	Mr Cameron
Mr Cole	Mr Langdon	Mr Savage	Ms Gillett

And so it was resolved in the affirmative.

Thereupon Mr Haermeyer withdrew from the Chamber.

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

*Allocation of time - Mr Deputy Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 8 October 1996 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 and be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 8 **APPROPRIATION (PARLIAMENT 1996/97, No. 1) BILL** - 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 and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 9 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

- 
- 10 **EDUCATION (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).
- Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 October 1996.
- 11 **CHILDREN AND YOUNG PERSONS (MISCELLANEOUS AMENDMENTS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).
- Dr Napthine made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Thwaites*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 October 1996.
- 12 **CRIMES (FEMALE GENITAL MUTILATION) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 October 1996.
- 13 **COURTS AND TRIBUNALS (GENERAL AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Mrs Wade made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 October 1996.
- 14 **LAND (REVOCAION OF RESERVATIONS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 October 1996.
- 15 **NORTH MELBOURNE LANDS BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 October 1996.
- 16 **SMALL BUSINESS VICTORIA (REPEAL) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).
- Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 October 1996.
- 17 **UNIVERSITY ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Honeywood*).
- Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 October 1996.

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- 18 **PORTS SERVICES AND MARINE (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 October 1996.
- 19 **FARM PRODUCE WHOLESALE (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Naphthine*).
- Motion made and question - That the debate be now adjourned (*Mr Cameron*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 October 1996.
- 20 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Dr Naphthine*) - put and agreed to.
- 21 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 6.38 p.m., adjourned until Tuesday, 15 October 1996.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS Nos. 21, 22 and 23

### No. 21 - Tuesday, 15 October 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **DEATH OF KEVIN MYLES STEPHEN HOLLAND, ESQUIRE** - Motion made and question - That this House expresses its sincere sorrow at the death of Kevin Myles Stephen Holland, Esquire, 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 Flemington from 1956 to 1967 (*Mr Kennett*) - put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 3 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 4 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 6 of 1996 on the Professional Boxing and Martial Arts Bill, together with an Appendix.  
Ordered to lie on the Table and to be printed.
- 5 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
  - Aluminium Smelters of Victoria Pty Ltd (Aluvic) - Report for the year 1995-96
  - Construction Industry Long Service Leave Board (CoINVEST) - Report for the year 1995-96
  - Crown Land (Reserves) Act 1978 - Order pursuant to sections 17D and 17DA giving approval to the granting of a lease for the purposes of Boatshed with associated Restaurant/Cafe and Museum, Lake Wendouree, Ballarat
  - Financial Management Act 1994 -
    - Financial Operations Statement - Report for the year 1995-96
    - Auditor-General Report on the Statement of Financial Operations, 1995-96 October 1996
  - Severally ordered to be printed
  - Gas and Fuel - Report for the year 1995-96
  - Land Conservation Council - Report for the year 1995-96
  - Loy Yang Power Limited - Report for the year 1995-96
  - National Parks Act 1975 - Amendment of Terms and Conditions of the Consent to the renewal of Extractive Industry Lease No. 286-1 for the quarrying of hornfels - Chiltern Park

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

- Bairnsdale (Shire) Planning Scheme - No. L56
- Ballarat Planning Scheme - No. L8
- Brighton Planning Scheme - No. L27
- Campaspe Planning Scheme - No. L11
- Delatite Planning Scheme - No. L2
- Greater Bendigo Planning Scheme - No. L38
- Hastings Planning Scheme - No. L114
- Melbourne Planning Scheme - No. L202
- Morwell Planning Scheme - No. L58
- Port of Melbourne Planning Scheme - No. L14
- Woorayl Planning Scheme - No. L54
- Yarra Ranges Planning Scheme - Nos. L14, L32

Powernet Victoria - Report for the year 1995-96

Statutory Rule under the Wildlife Act 1975 - S.R. No. 98

Victorian Broiler Industry Negotiation Committee - Report for the year 1995-96

Victorian Multicultural Commission - Report for the year 1995-96

Zoological Parks and Gardens Board of Victoria - Report for the year 1995-96 (two papers).

- 6 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question proposed - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills and item of business be considered and completed by 4.00 p.m. on Thursday, 17 October 1996:

- Shop Trading Reform Bill
- Gaming Machine Control (Amendment) Bill
- Building (Amendment) Bill
- Professional Boxing and Martial Arts Bill
- Address-In-Reply to the Governor's Speech
- Corrections (Amendment) Bill

(Mr Gude) - after debate, put.

The House divided.

AYES, 54

Mr Andrighetto	Mr Jenkins	Dr Napthine	Mr Steggall
Mr Ashley	Mr John	Mr Paterson	Mr Stockdale
Mr Brown	Mr Kilgour	Mr Perrin	Mrs Tehan
Ms Burke	Mr Lean	Mr Perton	Mr Thompson
Mr Clark	Mr Leigh	Mr Pescott	Mr Traynor
Mr Coleman	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Cooper	Ms McCall	Mr Phillips	Mrs Wade
Dr Dean	Mrs McGill	Mr Reynolds	
Mr Dixon	Mr McGrath	Mr Richardson	
Mr Doyle	(Warrnambool)	Mr Rowe	
Mr Elder	Mr McGrath	Mr Ryan	
Mrs Elliott	(Wimmera)	Mrs Shardey	
Mr Finn	Mr McLellan	Mr Smith	
Mr Gude	(Frankston East)	(Glen Waverley)	Tellers
Mrs Henderson	Mr Maclellan	Mr Smith	Mr Lupton
Mr Honeywood	(Pakenham)	(Polwarth)	Mr Plowman
Mr Jasper	Mr Maughan	Mr Spry	(Benambra)

NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mr Langdon	Mr Thwaites
Mr Baker	Mr Dollis	Mr Leighton	
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Tellers
Mr Carli	Mr Hulls	Mr Pandazopoulos	Mr Cameron
Mr Cole	Ms Kosky	Mr Seitz	Mr Lim

And so it was resolved in the affirmative.

- 7 **SHOP TRADING REFORM BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Reynolds announced that it was proposed to move an amendment in Committee and requested that the amendment be circulated. Amendment circulated.

Pursuant to Sessional Orders, Mr Brumby announced that it was proposed to move amendments in Committee and requested that the amendments 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 place thereof the words "this House refuses to read this Bill a second time until the Government abides by its pre-election promise to consult with all relevant groups and holds a proper independent review and further explains why it has abandoned commitments made by the Premier to extend Sunday trading to only the first Sunday of each month and the three Sundays before Christmas" (*Mr Brumby*) - and, after debate.

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

The House divided.

## AYES, 52

Mr Andrighetto	Mr Jenkins	Mr Perrin	Mr Spry
Mr Ashley	Mr John	Mr Perton	Mr Steggall
Mr Brown	Mr Kennett	Mr Pescott	Mrs Tehan
Mr Clark	Mr Kilgour	Mrs Peulich	Mr Thompson
Mr Coleman	Mr Lean	Mr Phillips	Mr Traynor
Mr Cooper	Mr Leigh	Mr Plowman	Mr Treasure
Dr Dean	Mr Lupton	(Benambra)	Mrs Wade
Mr Dixon	Mr McArthur	Mr Richardson	
Mr Doyle	Mrs McGill	Mr Rowe	
Mr Elder	Mr McGrath	Mr Ryan	
Mrs Elliott	(Wimmera)	Mr Savage	
Mr Finn	Mr McLellan	Mrs Shardey	
Mr Gude	(Frankston East)	Mr Smith	
Mrs Henderson	Mr Maughan	(Glen Waverley)	Tellers
Mr Honeywood	Dr Napthine	Mr Smith	Ms Burke
Mr Jasper	Mr Paterson	(Polwarth)	Ms McCall

## NOES, 23

Mr Andrianopoulos	Mr Dollis	Mr Lim	
Mr Baker	Ms Gillett	Mr Loney	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mr Brumby	Mr Hamilton	Mr Pandazopoulos	
Mrs Campbell	Mr Hulls	Mr Seitz	Tellers
Mr Carli	Mr Langdon	Mr Sheehan	Mr Cameron
Mr Cole	Mr Leighton	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Question - That the Bill be now read a second time - put.

The House divided.

## AYES, 52

Mr Andrighetto	Mr Jasper	Mr Paterson	Mr Spry
Mr Ashley	Mr Jenkins	Mr Perrin	Mr Steggall
Mr Brown	Mr John	Mr Perton	Mrs Tehan
Ms Burke	Mr Kennett	Mr Pescott	Mr Thompson
Mr Clark	Mr Kilgour	Mrs Peulich	Mr Traynor
Mr Coleman	Mr Leigh	Mr Phillips	Mr Treasure
Mr Cooper	Mr Lupton	Mr Plowman	Mrs Wade
Dr Dean	Mr McArthur	(Benambra)	
Mr Dixon	Ms McCall	Mr Richardson	
Mr Doyle	Mrs McGill	Mr Rowe	
Mr Elder	Mr McGrath	Mr Ryan	
Mrs Elliott	(Wimmera)	Mr Savage	
Mr Finn	Mr McLellan	Mr Smith	
Mr Gude	(Frankston East)	(Glen Waverley)	Tellers
Mrs Henderson	Mr Maughan	Mr Smith	Mr Lean
Mr Honeywood	Dr Napthine	(Polwarth)	Mrs Shardey

NOES, 23

Mr Andrianopoulos	Mr Dollis	Mr Loney	
Mr Baker	Ms Gillett	Mrs Maddigan	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mr Brumby	Mr Hamilton	Mr Pandazopoulos	
Mrs Campbell	Mr Hulls	Mr Seitz	<i>Tellers</i>
Mr Carli	Mr Langdon	Mr Sheehan	Mr Cameron
Mr Cole	Mr Leighton	Mr Thwaites	Mr Lim

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Mr Gude*) - put and agreed to.

Bill committed, considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Legal Practice Bill with amendments.

Ordered - That the said amendments be printed and taken into consideration tomorrow.

- 10 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.

- 11 **ADJOURNMENT** - Motion made and question proposed - That the House do now adjourn (*Mr Gude*) - and, after debate -

And the House having continued to sit till after 12 midnight -

WEDNESDAY, 16 OCTOBER 1996

Question - put and agreed to.

And the House, at 12.10 a.m., adjourned until later this day.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 22 - Wednesday, 16 October 1996

- Mr Speaker took the Chair and read the Prayer.
- PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:

**Shop Trading Reform Bill** - Seeking that the House reject the Shop Trading Reform Bill which seeks to set up provision for 24 hour shop trading, bearing 309 signatures (*by Mr Micallef*)

**Contaminated Land Site, Yarraville** - Seeking that the land site abounded by High Street and Williamstown Road, Yarraville be decontaminated before any residential or commercial development is considered, bearing 2,196 signatures (*by Mr Bracks*).

Severally ordered to lie on the Table.

- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Intellectual Disability Review Panel - Report for the year 1995-96

National Parks Service - Report for the year 1995-96.

- 4 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Geelong Lands (Steampacket Place) Bill without amendment.

- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Local Government (Amendment) Bill with amendments.

Ordered - That the said amendments be printed and taken into consideration tomorrow.

- 6 **GOVERNMENT'S TRANSPORT ACHIEVEMENTS** - Motion made and question proposed - That this House, while regretting the lack of genuine policy commitment by the Labor Party to transport issues, congratulates the Government on its transport achievements during its first term in office and applauds the commitments to further improve the transport system in Victoria during the coming four years as outlined in the Public Transport Policy of the Coalition published in March 1996 (*Mr Cooper*) - and, after debate -

*General Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 7 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 8 **UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN AMENDMENTS** - Motion made and question - That pursuant to section 46D(1)(c) of the **Planning and Environment Act 1987**, Amendments Nos. 91, 92, 93, 94 and 95 to Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved (*Mr Maclellan, Pakenham*) - put and agreed to.

- 9 **ELECTRICITY INDUSTRY (FURTHER AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "to amend the **Electricity Industry Act 1993** and the **State Electricity Commission Act 1958**, to amend certain Acts to make further provision for land entitlements for generation companies and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 **BIRTHS, DEATHS AND MARRIAGES REGISTRATION BILL** - Mrs Wade obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "to re-enact with amendments the law relating to births, deaths and marriages in Victoria, to repeal the **Registration of Births Deaths and Marriages Act 1959** and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 11 **MISCELLANEOUS ACTS (FURTHER OMNIBUS AMENDMENTS) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to amend the Agricultural and Veterinary Chemicals (Control of Use) Act 1992, the Associations Incorporation Act 1981, the Borrowing and Investment Powers Act 1987, the Casino Control Act 1991, the Crown Lands Act (Amendment) Act 1994, the Crown Land (Reserves) Act 1978, the Docklands Authority Act 1991, the Ethnic Affairs Commission Act 1993, the Financial Management Act 1994, the Financial Management (Consequential Amendments) Act 1994, the Land Conservation Act 1970, the Livestock Disease Control Act 1994, the Lotteries Gaming and Betting Act 1966, the Magistrates' Court Act 1989, the Melbourne and Olympic Parks Act 1985, the Miscellaneous Acts (Health and Justice) Amendment Act 1995, the Police Regulation Act 1958, the Prostitution Control Act 1994, the Racing Act 1958, the Stamps Act 1958, the Teaching Service Act 1981, the Transport Accident Act 1986, the Treasury Corporation of Victoria Act 1992, the Victorian Funds Management Corporation Act 1994 and the Victorian Managed Insurance Authority Act 1996 and to repeal the Decentralized Industry Incentive Payments Act 1972 and the The Decentralization Advisory Committee Act 1964 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **HEALTH ACTS (FURTHER AMENDMENT) BILL** - Dr Napthine obtained leave, with Mr Gude, to bring in a Bill "*to amend the Cancer Act 1958, the Drugs, Poisons and Controlled Substances Act 1981, the Pharmacists Act 1974, the Cemeteries Act 1958, the Health Services Act 1988 and the Mental Health Act 1986 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **CHIROPRACTORS REGISTRATION BILL** - Dr Napthine obtained leave, with Mrs Wade, to bring in a Bill "*to make further provision for the registration of chiropractors, the investigation into the professional conduct or fitness to practise of registered chiropractors, to regulate the advertising of chiropractic services, to establish the Chiropractors Registration Board of Victoria and the Chiropractors Registration Board Fund of Victoria, to repeal the Chiropractors and Osteopaths Act 1978 and to make consequential amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **OSTEOPATHS REGISTRATION BILL** - Dr Napthine obtained leave, with Mrs Wade, to bring in a Bill "*to make further provision for the registration of osteopaths, the investigation into the professional conduct or fitness to practise of registered osteopaths, to regulate the advertising of osteopathic services, to establish the Osteopaths Registration Board of Victoria and the Osteopaths Registration Board Fund of Victoria and to make consequential amendments to various Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **GAMING MACHINE CONTROL (AMENDMENT) BILL** - 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, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 **BUILDING (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 17 **PROFESSIONAL BOXING AND MARTIAL ARTS BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 18 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 4, 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 His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 15 *ante*); debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 20 **ADJOURNMENT** - Mr Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.10 p.m.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 23 - Thursday, 17 October 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:  
**Rehabilitation/Education Programs for Drug Users** - Seeking that better rehabilitation and educational programs be provided for drug users, bearing 150 signatures (*by Mr Andrianopoulos*).
- Ordered to lie on the Table.
- 3 **SCRUTINY OF NATIONAL SCHEMES OF LEGISLATION REPORT** - Motion made, by leave, and question - That there be presented to this House a copy of the Position Paper on the Scrutiny of National Schemes of Legislation by the Working Party of Representatives of Scrutiny of Legislation Committees throughout Australia (*Mr Ryan*) - put and agreed to.

4 **PAPER** - Mr Ryan presented:

Position Paper on the Scrutiny of National Schemes of Legislation by the Working Party of Representatives of Scrutiny of Legislation Committees throughout Australia - Return to the foregoing Order.

Ordered to lie on the Table.

5 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Transport Act 1983 - Order for Transfer of Assets and Liabilities pursuant to section 81  
Victorian Funds Management Corporation - Report for the year 1995-96.

6 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Appropriation (1996/97, No. 1) Bill  
Appropriation (Parliament 1996/97, No. 1) Bill  
Bank of South Australia and Advance Bank Bill.

7 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 29 October 1996 (*Mr McGrath, Wimmera*) - put and agreed to.

8 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 1 to 10 inclusive, be postponed until later this day.

9 **LEGAL PRACTICE BILL** - Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

10 **CORRECTIONS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Question - put.

The House divided.

AYES, 50

Mr Andrighetto	Mr Lean	Mr Perrin	Mr Spry
Mr Ashley	Mr Leigh	Mr Pertont	Mr Steggall
Mr Brown	Mr Lupton	Mr Pescott	Mrs Tehan
Mr Clark	Mr McArthur	Mrs Peulich	Mr Thompson
Mr Coleman	Ms McCall	Mr Phillips	Mr Traynor
Dr Dean	Ms McGill	Mr Plowman	Mr Treasure
Mr Elder	Mr McGrath	(Benambra)	Mrs Wade
Mrs Elliott	(Wimmera)	Mr Reynolds	Mr Wells
Mr Finn	Mr McLellan	Mr Richardson	
Mr Gude	(Frankston East)	Mr Rowe	
Mrs Henderson	Mr Maclellan	Mr Ryan	
Mr Honeywood	(Pakenham)	Mr Savage	
Mr Jenkins	Mr Maughan	Mrs Shardey	Tellers
Mr John	Dr Napthine	Mr Smith	Ms Burke
Mr Kilgour	Mr Paterson	(Glen Waverley)	Mr Dixon

NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Mr Dollis	Mr Lim	
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Mr Haermeyer	Mrs Maddigan	
Mr Brumby	Mr Hamilton	Mr Micallef	
Mrs Campbell	Mr Hulls	Mr Mildenhall	Tellers
Mr Carli	Ms Kosky	Mr Pandazopoulos	Mr Cameron
Mr Cole	Mr Langdon	Mr Seitz	Ms Gillett

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

11 **QUESTIONS** - (Pursuant to Standing Order No. 124).

[Mr Speaker having left the Chair at 2.18 p.m. and resumed it at 2.24 p.m.]

12 **LOCAL GOVERNMENT (AMENDMENT) BILL** - Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question proposed - That the amendments of the Legislative Council be now read a second time (*Mr Maclellan, Pakenham*).

Motion made and question proposed - That the debate be now adjourned (*Mr Hulls*) - and, after debate -

Motion made and question - That the question be now put (*Mr Maclellan, Pakenham*) - put.

The House divided.

\*AYES, 50

Mr Andrighetto	Mr Jenkins	Dr Napthine	Mr Smith
Mr Ashley	Mr John	Mr Paterson	(Glen Waverley)
Mr Brown	Mr Kennett	Mr Perrin	Mr Smith
Ms Burke	Mr Kilgour	Mr Perton	(Polwarth)
Mr Clark	Mr Lean	Mr Pescott	Mr Spry
Mr Coleman	Mr Lupton	Mrs Peulich	Mrs Tehan
Mr Cooper	Mr McArthur	Mr Phillips	Mr Traynor
Dr Dean	Mrs McGill	Mr Plowman	Mr Treasure
Mr Elder	Mr McGrath	(Benambra)	Mrs Wade
Mrs Elliott	(Wimmera)	Mr Reynolds	
Mr Finn	Mr McLellan	Mr Richardson	
Mr Gude	(Frankston East)	Mr Rowe	
Mrs Henderson	Mr Maclellan	Mr Ryan	Tellers
Mr Honeywood	(Pakenham)	Mr Savage	Mr Dixon
Mr Jasper	Mr Maughan	Mrs Shardey	Ms McCall

NOES, 28

Mr Andrianopoulos	Mr Cole	Mr Langdon	Mr Sheehan
Mr Baker	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Loney	
Mr Bracks	Ms Garbutt	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mr Cameron	Mr Hamilton	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Ms Gillett
Mr Carli	Ms Kosky	Mr Seitz	Mr Lim

And so it was resolved in the affirmative.

Question - That the debate be now adjourned - accordingly put.

\* Division corrected by direction of Mr Speaker. See Votes and Proceedings, Thursday, 17 October 1996 p. 125.

The House divided.

AYES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Langdon	Mr Sheehan
Mr Baker	Mr Dollis	Mr Leighton	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mrs Campbell	Mr Hamilton	Mr Mildenhall	<i>Tellers</i>
Mr Carli	Mr Hulls	Mr Pandazopoulos	Mr Cameron
Mr Cole	Ms Kosky	Mr Seitz	Mr Lim

NOES, 50

Mr Andrighetto	Mr Jenkins	Dr Naphine	Mr Smith
Mr Ashley	Mr John	Mr Paterson	<i>(Glen Waverley)</i>
Mr Brown	Mr Kennett	Mr Perrin	Mr Smith
Ms Burke	Mr Kilgour	Mr Perton	<i>(Polwarth)</i>
Mr Clark	Mr Lupton	Mr Pescott	Mr Spry
Mr Coleman	Mr McArthur	Mrs Peulich	Mrs Tehan
Mr Cooper	Ms McCall	Mr Phillips	Mr Traynor
Dr Dean	Mrs McGill	Mr Plowman	Mr Treasure
Mr Elder	Mr McGrath	<i>(Benambra)</i>	Mrs Wade
Mrs Elliott	<i>(Wimmera)</i>	Mr Reynolds	
Mr Finn	Mr McLellan	Mr Richardson	
Mr Gude	<i>(Frankston East)</i>	Mr Rowe	
Mrs Henderson	Mr Maclellan	Mr Ryan	<i>Tellers</i>
Mr Honeywood	<i>(Pakenham)</i>	Mr Savage	Mr Dixon
Mr Jasper	Mr Maughan	Mrs Shardey	Mr Lean

And so it passed in the negative.

Amendments read a second time and agreed to by the House.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 13 **POSTPONEMENT OF ORDER OF THE DAY** - Motion made and question proposed - That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day *(Mr Maclellan, Pakenham)* - and, after debate -

*Allocation of time - Mr Deputy Speaker advised that the time allocated for consideration of Bills and items pursuant to Resolution of House on Tuesday, 15 October 1996 had expired.*

Question - put and negatived.

- 14 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 15 *ante*) and that the said Address be presented to His Excellency the Governor by Mr Speaker and the Members of the House - put and agreed to.

- 15 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

- 16 **ELECTRICITY INDUSTRY (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).  
 Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 31 October 1996.
- 17 **BIRTHS, DEATHS AND MARRIAGES REGISTRATION BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).  
 Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 31 October 1996.
- 18 **MISCELLANEOUS ACTS (FURTHER OMNIBUS AMENDMENTS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).  
 Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.  
 Motion made and question proposed - That the debate be adjourned for two weeks (*Mrs Wade*).  
 Amendment proposed - That the word "two" be omitted with the view of inserting in place therefore the word "six" (*Mr Hulls*) - and, after debate -  
 Question - That the word proposed to be omitted stand part of the question - put.  
 The House divided.

AYES, 45

Mr Andrighetto	Mr Jenkins	Mr Paterson	Mr Traynor
Mr Ashley	Mr John	Mr Perrin	Mr Treasure
Mr Brown	Mr Kilgour	Mr Perton	Mrs Wade
Ms Burke	Mr Lean	Mrs Peulich	
Mr Clark	Mr Lupton	Mr Phillips	
Mr Coleman	Mr McArthur	Mr Plowman	
Mr Cooper	Mrs McGill	( <i>Benambra</i> )	
Mr Dixon	Mr McGrath	Mr Reynolds	
Mr Elder	( <i>Wimmera</i> )	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	( <i>Frankston East</i> )	Mr Ryan	
Mr Gude	Mr Maclellan	Mr Smith	
Mrs Henderson	( <i>Pakenham</i> )	( <i>Glen Waverley</i> )	Tellers
Mr Honeywood	Mr Maughan	Mr Spry	Ms McCall
Mr Jasper	Dr Napthine	Mrs Tehan	Mrs Shardey

NOES, 24

Mr Andrianopoulos	Mr Dollis	Mr Leighton	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Lim	
Mr Bracks	Mr Haermeyer	Mr Loney	
Mr Brumby	Mr Hamilton	Mr Mildenhall	
Mr Cameron	Mr Hulls	Mr Pandazopoulos	Tellers
Mr Carli	Ms Kosky	Mr Savage	Mrs Campbell
Mr Cunningham	Mr Langdon	Mr Seitz	Ms Gillett

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 31 October 1996.

- 19 **HEALTH ACTS (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).  
*Dr Napthine made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*  
 Motion made and question - That the debate be now adjourned (*Mrs Campbell*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 31 October 1996.
- 20 **CHIROPRACTORS REGISTRATION BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).  
*Dr Napthine made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*  
 Motion made and question - That the debate be now adjourned (*Mrs Campbell*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 31 October 1996
- 21 **OSTEOPATHS REGISTRATION BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).  
*Dr Napthine made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*  
 Motion made and question - That the debate be now adjourned (*Mrs Campbell*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 31 October 1996.
- 22 **ERROR IN DIVISION LIST** - Mr Deputy Speaker informed the House, that, in the division which took place in the House on the question "That the question be now put", on the Local Government (Amendment) Bill, the Tellers for the "Ayes" inadvertently recorded the name of the Member for Mill Park, Mr Andrianopoulos, instead of that of the Member for Narracan, Mr Andrighetto.  
 Mr Deputy Speaker then directed the Clerk to correct the Division List accordingly.
- 23 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Dr Napthine*) - put and agreed to.
- 24 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
 And the House, at 6.16 p.m., adjourned until Tuesday, 29 October 1996.

PHILIP J. MITHEN  
 Clerk of the Legislative Assembly

S. J. FLOWMAN  
 Speaker

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS

Nos. 24, 25 and 26

### No. 24 - Tuesday, 29 October 1996

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:  

**Illegal Drugs** - Seeking that the Government affirms its opposition to the legalisation/decriminalisation of illegal drugs, bearing 264 signatures (*by Mr Ryan*).

Ordered to lie on the Table.
- 4 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 7 of 1996 on the -
  - Small Business Victoria (Repeal) Bill
  - North Melbourne Lands Bill
  - Land (Revocation of Reservations) Bill
  - Crimes (Female Genital Mutilation) Bill
  - Ports Services and Marine (Amendment) Bill
  - Courts and Tribunals (General Amendment) Bill
  - University Acts (Amendment) Bill
  - Education (Amendment) Bill
  - Children and Young Persons (Miscellaneous Amendments) Bill
  - Chiropractors Registration Bill
  - Osteopaths Registration Bill
  - Health Acts (Further Amendment) Bill
  - Births, Deaths and Marriages Registration Bill
  - Electricity Industry (Further Amendment) Bill
  - Miscellaneous Acts (Further Omnibus Amendments) Bill
  - Corrections (Amendment) Billtogether with an Appendix.  
Ordered to lie on the Table and to be printed.
- 5 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
  - Alexandra District Hospital - Report for the year 1995-96
  - Anti-Discrimination Tribunal - Report for the year 1995-96
  - Austin and Repatriation Medical Centre (including Austin Hospital and Heidelberg Hospital (incorporating Heidelberg Repatriation Hospital)) - Report for the year 1994-95

- Bairnsdale Regional Health Service - Report for the year 1995-96
- Beechworth Hospital - Report for the year 1995-96
- Benalla and District Memorial Hospital - Report for the year 1995-96
- Birregurra and District Community Hospital - Report for the year 1995-96
- Boort District Hospital - Report for the year 1995-96
- Bright District Hospital and Health Services - Report for the year 1995-96
- Casterton Memorial Hospital - Report for the year 1995-96
- City of Melbourne Superannuation Fund - Financial Statements for the period ended 1 November 1995
- City West Water Limited - Report for the year 1995-96 (two papers)
- Cobram District Hospital - Report for the year 1995-96
- Cohuna District Hospital and Cohuna Community Nursing Home - Report for the year 1995-96
- Colac Community Health Services - Report for the year 1995-96
- Coliban Region Water Authority - Report for the year 1995-96
- Corangamite Regional Hospital Services - Report for the year 1995-96
- Country Fire Authority - Report for the year 1995-96
- Crimes Compensation Tribunal - Report for the year 1995-96
- Crown Land (Reserves) Act 1978 - Section 17DA Orders granting under -  
 Section 17B - licences in the City of Greater Geelong (six)  
 Section 17D - leases in the -  
     Township of Colac  
     Township of Ballarat East  
     City of Greater Geelong  
     City of Bayside  
     City of Port Phillip (five)
- East Gippsland Region Water Authority - Report for the year 1995-96
- East Grampians Health Service - Report for the year 1995-96
- Emergency Services Superannuation Scheme - Report for the year 1995-96
- Energy Victoria - Report for the year 1995-96
- Environment Protection Authority - Report for the year 1995-96
- Financial Management Act 1994 -  
     Report of the Acting Treasurer advising that he had received the 1995-96 Annual Report of the Electricity Services Victoria  
     Report of the Acting Treasurer advising that he had received the 1995-96 Annual Report of the Everton Dell Pty Ltd  
     Report of the Minister for Health advising that he had received the 1995-96 Annual Reports of the -  
         Maffra District Hospital  
         Omeo District Hospital  
         South Gippsland Hospital
- First Mildura Irrigation Trust - Report for the year 1995-96

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- Gippsland Water - Report for the year 1995-96
- Glenelg Region Water Authority - Report for the year 1995-96
- Goulburn-Murray Rural Water Authority - Report for the year 1995-96
- Goulburn Valley Region Water Authority - Report for the year 1995-96
- Grace McKellar Centre - Report for the year 1995-96
- Grampians Region Water Authority - Report for the year 1995-96
- Greyhound Racing Control Board - Report for the year 1995-96
- Hamilton Base Hospital - Report for the year 1995-96
- Hazelwood Power Corporation - Report for the year 1995-96
- Hesse Rural Health Service - Report for the year 1995-96
- Heywood and District Memorial Hospital, Sydney Lynne Quayle Hostel for the Aged and Fitzroy Lodge Hostel - Report for the year 1995-96
- Hospitals Superannuation Board - Report for the year 1995-96
- Infertility (Medical Procedures) Act 1984 - Report for the year 1995-96 by the Secretary, Department of Human Services to the Minister for Health pursuant to S. 22(4)
- Judicial Remuneration Tribunal - Report on the Salary and Allowances of Members of the Employee Relations Commission of Victoria, 2 August 1996
- Kerang and District Hospital - Report for the year 1995-96
- Kiewa Murray Region Water Authority - Report for the year 1995-96
- Kilmore and District Hospital and Kilmore and District Nursing Home - Report for the year 1995-96
- Legal Aid Act 1978 - Direction pursuant to section 12M
- Lorne Community Hospital and Nursing Home - Report for the year 1995-96
- Maldon Hospital and Community Care - Report for the year 1995-96
- Manangatang and District Hospital - Report for the year 1995-96
- Mansfield District Hospital and Bentley Nursing Home - Report for the year 1995-96
- Maryborough District Health Service - Report for the year 1995-96
- McIvor Health and Community Services - Report for the year 1995-96
- Melbourne City Link Act 1995 - Order pursuant to section 8(4) decreasing the Project Area
- Melbourne Parks and Waterways - Report for the year 1995-96 (two papers)
- Melbourne Water Corporation - Report for the year 1995-96 (two papers)
- Metropolitan Fire Brigades Board - Report for the year 1995-96
- Mid-Goulburn Regional Water Board - Report for the year 1995-96
- Mildura Base Hospital - Report for the year 1995-96 (two papers)
- Mt Alexander Hospital - Report for the year 1995-96
- Murray-Darling Basin Commission - Report for the year 1995-96
- Myrtleford District War Memorial Hospital - Report for the year 1995-96 (two papers)
- Nathalia District Hospital and Nursing Home - Report for the year 1995-96 (three papers)

- Numurkah and District War Memorial Hospital - Report for the year 1995-96
- Otway Health and Community Services - Report for the year 1995-96
- Otway Region Water Authority - Report for the year 1995-96
- Ouyen and District Hospital - Report for the year 1995-96
- Ovens Region Water Authority- Report for the year 1995-96
- Patriotic Funds Council - Report for the year 1995
- Peninsula Health Care Network - Report for the year 1995-96 (five papers)
- Penshurst and District Memorial Hospital - Report for the year 1995-96 (two papers)
- Pharmacy Board - Report for the year 1995-96
- Physiotherapists Registration Board - Report for the year 1995-96
- Planning and Environment Act 1987 - Amendment No. 96 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan
- Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
- Altona Planning Scheme - No. L106
  - Bacchus Marsh Planning Scheme - No. L54
  - Banyule Planning Scheme - Nos. L3, RL175
  - Berwick Planning Scheme - No. L114
  - Boroondara Planning Scheme - No. RL175
  - Brighton Planning Scheme - No. RL175
  - Brimbank Planning Scheme - No. L27
  - Campaspe Planning Scheme - No. L15
  - Darebin Planning Scheme - No. L37
  - Doncaster and Templestowe Planning Scheme - No. RL175
  - Glen Eira Planning Scheme - No. RL175
  - Greater Dandenong Planning Scheme - Nos. L2, RL175
  - Greater Geelong Planning Scheme - Nos. L156, R167, R174
  - Hastings Planning Scheme - No. L109
  - Hume Planning Scheme - Nos. L6, RL175
  - Knox Planning Scheme - No. L115
  - Macedon Ranges Planning Scheme - No. L12
  - Maribyrnong Planning Scheme - No. L17
  - Maroondah Planning Scheme - Nos. L3, RL175
  - Melbourne Planning Scheme - Nos. L213, L232, RL175
  - Milawa Planning Scheme - Nos. L12, L14
  - Mitchell Planning Scheme - No. L11
  - Moirra Planning Scheme - Nos. L3 Part 1, L7 Part 1, L11, L12
  - Moreland Planning Scheme - No. L10
  - Sandringham Planning Scheme - No. L17
  - Shepparton Shire Planning Scheme - No. L79
  - Stonnington Planning Scheme - No. RL175
  - Surf Coast Planning Scheme - No. R39
  - Traralgon (Shire) Planning Scheme - No. L56
  - Warmambool Planning Scheme - No. L21
  - Whitehorse Planning Scheme - Nos. L5, L6, L11, RL175
  - Yarra Ranges Planning Scheme - Nos. L13, L26
  - Yea Planning Scheme - No. L11
- Police Review Commission - Report for the year 1995-96

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- Port Fairy Hospital - Report for the year 1995-96
- Portland and District Hospital - Report for the year 1995-96 (two papers)
- Portland Coast Region Water Authority - Report for the year 1995-96
- Premier and Cabinet Department - Report for the year 1995-96
- Queen Elizabeth Centre - Report for the year 1995-96
- Queen Elizabeth Centre, Ballarat - Report for the year 1995-96
- Regulator-General - Report of the Office for the year 1995-96
- Seymour District Memorial Hospital - Report for the year 1995-96
- South East Water Limited - Report for the year 1995-96
- South Gippsland Region Water Authority - Report for the year 1995-96
- Southern Rural Water Authority - Report for the year 1995-96
- South West Water Authority - Report for the year 1995-96
- St Arnaud District Hospital - Report for the year 1995-96
- Statutory Rules under the following Acts:
- Business Franchise (Tobacco) Act 1974 - S.R. No. 106
  - Financial Institutions Duty Act 1982 - S.R. No. 105
  - Physiotherapists Act 1978 - S.R. No. 107
  - Road Safety Act 1986 - S.R. No. 104
- Subordinate Legislation Act 1994 - Ministers' exemption certificates in relation to Statutory Rule Nos 105, 106, 107
- Swan Hill District Hospital - Report for the year 1995-96
- Tallangatta Hospital - Report for the year 1995-96
- Terang and Mortlake Health Service - Report for the year 1995-96
- Timboon and District Hospital and Timboon and District Community Health Centre - Report for the year 1995-96
- Urban Land Authority - Report for the year 1995-96
- Vicfleet Pty Ltd - Report for the year 1995-96
- Victorian Arts Centre Trust - Report for the year 1995-96
- Victorian Financial Institutions Commission - Report for the year 1995-96
- Victorian Government Purchasing Board - Report for the year 1995-96
- Victorian Plantations Corporation - Report for the year 1995-96
- Victorian Prison Industries Commission - Report for the year 1995-96
- Warrnambool and District Base Hospital - Report for the year 1995-96
- Western Region Water Authority - Report for the year 1995-96
- Westernport Region Water Authority - Report for the year 1995-96 (two papers)
- Wimmera Mallee Rural Water Authority - Report for the year 1995-96
- Wodonga District Hospital - Report for the year 1995-96
- Wycheproof and District Health Service - Report for the year 1995-96
- Yarrawonga District Hospital and Yarrawonga Nursing Home - Report for the year 1995-96

Yea and District Memorial Hospital - Report for the year 1995-96.

The following proclamation fixing an operative date was laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Occupational Health and Safety Act 1985 - Item 62 of Schedule Two on 24 October 1996  
(*Gazette No. G42, 24 October 1996*).

- 6 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

On 22 October 1996

Transport (Rail Safety) Bill  
Forestry Rights Bill  
Geelong Lands (Steampacket Place) Bill

On 29 October 1996

Bank of South Australia and Advance Bank Bill  
Local Government (Amendment) Bill.

- 7 **APPROPRIATION (1996/97, No. 1) BILL - APPROPRIATION (PARLIAMENT 1996/97, No. 1) BILL** - Mr Speaker announced that he had, on 22 October 1996, presented to His Excellency the Governor the Appropriation (1996/97, No. 1) Bill and the Appropriation (Parliament 1996/97, No. 1) Bill to which His Excellency had been pleased to give the Royal Assent.

- 8 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Births, Deaths and Marriages Registration Bill  
Chiropractors Registration Bill  
Courts and Tribunals (General Amendment) Bill  
Education (Amendment) Bill  
Electricity Industry (Further Amendment) Bill  
Health Acts (Further Amendment) Bill  
Land (Revocation of Reservations) Bill  
Miscellaneous Acts (Further Omnibus Amendments) Bill  
North Melbourne Lands Bill  
Osteopaths Registration Bill  
Port Services and Marine (Amendment) Bill  
Small Business Victoria (Repeal) Bill.

- 9 **VACANCIES IN THE MEMBERSHIP OF THE COUNCIL OF LA TROBE UNIVERSITY, ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY AND VICTORIAN HEALTH PROMOTION FOUNDATION** - Mr Speaker announced that he had received the following communications:

23 September 1996

The Hon. Jim Plowman, MP  
Speaker  
Legislative Assembly  
Parliament House  
Spring Street  
MELBOURNE VIC. 3000

Dear Mr. Speaker

Section 7(2)(h) of the Royal Melbourne Institute of Technology Act 1992 and Section 7(1)(d) of the La Trobe University Act 1964 provide for appointment to the respective Councils by the Governor in Council of three persons "who are Members of the Parliament of Victoria recommended for appointment by a joint sitting of the members of the Legislative Council and the Legislative Assembly conducted in accordance with the rules adopted for the purpose by the members present at the sitting."

Sections 14 and 15 of the La Trobe University Act, and sections 13 and 14 of the Royal Melbourne Institute of Technology Act, provide for the resignation of members of Council and for the filling of consequent vacancies as casual vacancies for the balance of the term of the former members.

The following Members have resigned from the respective Councils with the balance of terms of office as indicated.

Royal Melbourne Institute of Technology

Ms Sherryl Garbutt

(term expires 31 December 1998)

La Trobe University

Hon Theo Theophanous, MLC

(term expires 31 December 1999)

The terms of appointment to the respective positions is from the date of appointment until the date of expiry indicated above.

I seek your agreement to convene a joint sitting of members of the Legislative Assembly and the Legislative Council so that persons can be recommended to the Governor in Council for appointment to the respective Councils under these provisions.

Yours sincerely,

**PHIL HONEYWOOD, MP**  
Minister for Tertiary Education and Training

30 July 1996

The Hon. S J Plowman, MP  
 Speaker of the Legislative Assembly  
 Parliament House  
 Spring Street  
 MELBOURNE VIC. 3000

Dear Mr. Speaker,

**MEMBERSHIP - VICTORIAN HEALTH PROMOTION FOUNDATION**

Under section 21(1)(f) of the Tobacco Act 1987, three members of the Victorian Health Promotion Foundation are members of the Legislative Council or the Legislative Assembly, elected by the Legislative Council and Legislative Assembly, jointly.

The term of office of one of these members, the Honourable Ronald Alexander Best, MLC, Member for North Western Province, is due to expire on 19 October 1996.

I would be grateful if you could place this matter on the agenda for a Joint Sitting of both Houses, in the Spring Sitting of Parliament 1996.

I have forwarded a similar request to the President of the Legislative Council.

Thank you for your assistance in this matter.

Yours sincerely,

**ROB KNOWLES**  
 Minister for Health

Motion made and question - That this House meets the Legislative Council for the purpose of sitting and voting together to choose Members of the Parliament to be recommended for appointment to the Council of the La Trobe University and the Council of the Royal Melbourne Institute of Technology and to elect a Member of Parliament to the Victorian Health Promotion Foundation and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Wednesday, 30 October 1996, at 6.15 p.m. (*Mr Gude*) - put and agreed to.

Ordered - That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.

- 10 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 31 October 1996:

Children and Young Persons (Miscellaneous Amendments) Bill  
 North Melbourne Lands Bill  
 Education (Amendment) Bill  
 University Acts (Amendment) Bill  
 Small Business Victoria (Repeal) Bill  
 Port Services and Marine (Amendment) Bill  
 Farm Produce Wholesale (Amendment) Bill  
 Land (Revocation of Reservations) Bill  
 Courts and Tribunals (General Amendment) Bill  
 Crimes (Female Genital Mutilation) Bill

(*Mr Gude*) - put, after debate, and agreed to.

- 11 **CHILDREN AND YOUNG PERSONS (MISCELLANEOUS AMENDMENTS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 **NORTH MELBOURNE LANDS BILL** - 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, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 **EDUCATION (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*
- 14 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.56 p.m.

PHILIP J MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 25 - Wednesday, 30 October 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
- Shop Trading Reform Bill** - Seeking that the House reject the Shop Trading Reform Bill which seeks to set up provision for 24 hour shop trading, bearing 272 signatures (*by Mr Micallef*).
- Ordered to lie on the Table.
- 3 **PARLIAMENTARY DEPARTMENTS' REPORTS** - Motion made, by leave, and question - That there be presented to this House a copy of the Reports of the Department of the Legislative Assembly, Department of the Parliament Library and Department of the Reporting Staff of the Victorian Parliamentary Debates for the year 1995-96 and the Report of the Presiding Officers for the period October 1995 to September 1996 (*Mr McGrath, Warrnambool*) - put and agreed to.

4 **PAPERS** - Mr McGrath (*Warrnambool*) presented:

Reports of the Department of the Legislative Assembly, Department of the Parliament Library and Department of the Reporting Staff of the Victorian Parliamentary Debates for the year 1995-96 and the Report of the Presiding Officers for the period October 1995 to September 1996 - Return to the foregoing Order.

Severally ordered to lie on the Table.

5 **INQUIRIES INTO CHILD DEATHS: PROTECTION AND CARE** - Motion made, by leave, and question - That there be presented to this House a copy of the Annual Report of Inquiries into Child Deaths: Protection and Care 1996 (*Dr Napthine*) - put and agreed to.

6 **PAPER** - Dr Napthine presented:

Annual Report of Inquiries into Child Deaths: Protection and Care 1996 - Return to the foregoing Order.

Ordered to lie on the Table.

7 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Third Annual Report together with Appendices.

Ordered to lie on the Table and to be printed.

8 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Architects Registration Board - Report for the year 1995-96

Building Control Commission - Report for the year 1995-96

Chief Electrical Inspector - Report of the Office for the year 1995-96

Emerald Tourist Railway - Report for the year 1995-96

Environment Protection Act 1970 - Order varying State Environment Protection Policy (Waters of Victoria) (Government Gazette No. S122, 22 October 1996)

Heritage Council - Report for the year 1995-96

Liquor Licensing Commission - Report for the year 1995-96

Members of Parliament (Register of Interests) Act 1978 - Cumulative Summary of Returns September 1996 - Ordered to be printed

Plumbers, Gasfitters and Drainers Registration Board - Report for the year 1995-96

Port of Geelong Authority - Report for the year 1995-96

Port of Melbourne Authority - Report for the year 1995-96

Port of Portland Authority - Report for the year 1995-96

Public Service Commissioner - Report of the Office for the year 1995-96

Solaris Power Limited - Financial Statements for the period ended 30 September 1995

State Trustees Limited - Report for the year 1995-96

Tourism Victoria - Report for the year 1995-96

Victorian Casino and Gaming Authority - Report for the year 1995-96.

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- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Acquainting the Assembly that they have agreed to meet the Assembly for the purpose of sitting and voting together to recommend Members of the Parliament of Victoria for appointment to the Councils of the Royal Melbourne Institute of Technology and La Trobe University and to elect a Member of Parliament to the Victorian Health Promotion Foundation, as proposed by the Assembly.
- 10 **CHILD PROTECTION SYSTEM** - Motion made and question proposed - That this House condemns the Kennett Government for mismanaging the Child Protection system and for ignoring expert advice on Child Protection (*Mr Thwaites*) - and, after debate -  
*General Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*
- 11 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 12 **STOCK (SELLER LIABILITY AND DECLARATIONS) (AMENDMENT) BILL** - Mr McNamara obtained leave, with Mr Stockdale, to bring in a Bill "*to make miscellaneous amendments to the Stock (Seller Liability and Declarations) Act 1993 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **SUPERANNUATION ACTS (FURTHER AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to amend the Coal Mines (Pensions) Act 1958, the Emergency Services Superannuation Act 1986, the Hospitals Superannuation Act 1988, the Local Authorities Superannuation Act 1988, the Port of Geelong Authority Act 1958, the Parliamentary Salaries and Superannuation Act 1968, the Public Sector Superannuation (Administration) Act 1993, the State Employees Retirement Benefits Act 1979, the State Superannuation Act 1988, the Superannuation (Portability) Act 1989 and the Transport Superannuation Act 1988 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN AMENDMENT** - Motion made and question - That pursuant to section 46D(1)(c) of the Planning and Environment Act 1987, Amendment No. 96 to Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved (*Mr Maclellan, Pakenham*) - put and agreed to.
- 15 **WITNESS PROTECTION (AMENDMENT) BILL** - Mr McGrath (*Wimmera*) obtained leave, with Mrs Wade, to bring in a Bill "*to amend the Witness Protection Act 1991 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **FIREARMS BILL** - Mr McGrath (*Wimmera*) obtained leave, with Mrs Wade, to bring in a Bill "*to re-enact, with amendments, the Firearms Act 1958 to make various consequential amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 **CO-OPERATIVES BILL** - Mrs Wade obtained leave, with Mrs Henderson, to bring in a Bill "*to provide for the formation, registration and management of co-operatives, to repeal the Co-operation Act 1981 and to repeal Part VI of the Housing Act 1983 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 18 **FRIENDLY SOCIETIES (VICTORIA) BILL** - Mrs Wade obtained leave, with Mrs Henderson, to bring in a Bill "*to provide for the formation, registration, management and regulation of friendly societies, to repeal the Friendly Societies Act 1986 and make consequential amendments to other Acts, and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 **MOTOR CAR TRADERS (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mrs Henderson, to bring in a Bill "*to amend the Motor Car Traders Act 1986, the Small Claims Tribunals Act 1973 and the Second-Hand Dealers and Pawnbrokers Act 1989 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 20 **VICTIMS OF CRIME ASSISTANCE BILL** - Mrs Wade obtained leave, with Mrs Henderson, to bring in a Bill "*to provide assistance to victims of crime, to repeal the Criminal Injuries Compensation Act 1983, to amend the Sentencing Act 1991 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 21 **RAIL CORPORATIONS BILL** - Mr Brown obtained leave, with Mrs Henderson, to bring in a Bill "*to establish V/Line Freight and Victorian Rail Track, to amend the Borrowing and Investment Powers Act 1987, the Transport Act 1983 and the Treasury Corporation of Victoria Act 1992 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 22 **OPTOMETRISTS REGISTRATION BILL** - Dr Napthine obtained leave, with Mrs Henderson, to bring in a Bill "*to make further provision for the registration of optometrists, the investigation into the professional conduct or fitness to practise of registered optometrists, to regulate the advertising of optometry services, to establish the Optometrists Registration Board of Victoria and the Optometrists Registration Board Fund of Victoria, to repeal the Optometrists Registration Act 1958 and to make consequential amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 23 **LORD MAYOR'S CHARITABLE FUND BILL** - Dr Napthine obtained leave, with Mrs Henderson, to bring in a Bill "*to repeal and re-enact with amendments the Lord Mayor's Fund Act 1930 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 24 **MENTAL HEALTH (INTERSTATE PROVISIONS) BILL** - Dr Napthine obtained leave, with Mrs Henderson, to bring in a Bill "*to amend the Mental Health Act 1986 to provide for the interstate apprehension and transfer of mentally ill people and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 25 **UNIVERSITY ACTS (AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until the industrial relations problem relating to the proposed merger of Hawthorn Institute of Education with the University of Melbourne has been satisfactorily resolved by all parties to the dispute" (*Mr Hamilton*) - and, after debate -

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

The House divided.

AYES, 54

Mr Andrighetto	Mr Kilgour	Mr Perrin	Mrs Tehan
Mr Ashley	Mr Lean	Mr Perton	Mr Thompson
Mr Brown	Mr Leigh	Mr Pescott	Mr Traynor
Ms Burke	Mr Lupton	Mrs Peulich	Mr Treasure
Mr Clark	Mr McArthur	Mr Phillips	Mr Wells
Mr Cooper	Ms McCall	Mr Plowman	
Dr Dean	Mr McGrath	(Benambra)	
Mr Dixon	(Warrnambool)	Mr Reynolds	
Mr Elder	Mr McGrath	Mr Richardson	
Mrs Elliott	(Wimmera)	Mr Rowe	
Mr Finn	Mr McLellan	Mr Ryan	
Mr Gude	(Frankston East)	Mrs Shardey	
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maclellan	(Glen Waverley)	
Mr Jasper	(Pakenham)	Mr Smith	
Mr Jenkins	Mr Maughan	(Polwarth)	Tellers
Mr John	Dr Napthine	Mr Steggall	Mrs McGill
Mr Kennett	Mr Paterson	Mr Stockdale	Mr Spry

NOES, 25

Mr Andrianopoulos	Mr Cunningham	Mr Lim	Mr Thwaites
Mr Baker	Mr Dollis	Mrs Maddigan	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Micallef	
Mr Bracks	Mr Hamilton	Mr Mildenhall	
Mr Cameron	Mr Hulls	Mr Pandazopoulos	Tellers
Mrs Campbell	Ms Kosky	Mr Seitz	Mr Carli
Mr Cole	Mr Leighton	Mr Sheehan	Mr Langdon

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 26 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

- 27 **PORT SERVICES AND MARINE (AMENDMENT) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 28 **FARM PRODUCE WHOLESALE (AMENDMENT) BILL** - 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, read a third time forthwith.

Ordered - That a message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said Bill without amendment.

- 29 **LAND (REVOCAION OF RESERVATIONS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Question - put.

The House divided.

AYES, 50

Mr Andrighetto	Mr John	Dr Napthine	Mr Steggall
Mr Ashley	Mr Kilgour	Mr Paterson	Mr Stockdale
Mr Brown	Mr Lean	Mr Perrin	Mrs Tehan
Ms Burke	Mr Lupton	Mr Perton	Mr Thompson
Mr Clark	Mr McArthur	Mrs Peulich	Mr Traynor
Mr Coleman	Mrs McGill	Mr Phillips	Mr Treasure
Mr Cooper	Mr McGrath	Mr Plowman	Mr Wells
Dr Dean	( <i>Warrnambool</i> )	( <i>Benambra</i> )	
Mr Dixon	Mr McGrath	Mr Reynolds	
Mr Elder	( <i>Wimmera</i> )	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Savage	
Mr Finn	( <i>Frankston East</i> )	Mr Smith	
Mr Gude	Mr McNamara	( <i>Glen Waverley</i> )	
Mrs Henderson	Mr Maclellan	Mr Smith	<i>Tellers</i>
Mr Jasper	( <i>Pakenham</i> )	( <i>Polwarth</i> )	Ms McCall
Mr Jenkins	Mr Maughan	Mr Spry	Mrs Shardey

NOES, 22

Mr Andrianopoulos	Mr Carli	Ms Hulls	Mr Seitz
Mr Baker	Mr Cunningham	Mr Kosky	Mr Wilson
Mr Batchelor	Mr Dollis	Mr Langdon	
Mr Brumby	Ms Garbutt	Mrs Leighton	<i>Tellers</i>
Mr Cameron	Mr Gillett	Mr Loney	Mr Lim
Mrs Campbell	Mr Hamilton	Mr Micallef	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 30 **VACANCIES IN MEMBERSHIP OF THE COUNCILS OF THE ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY, LA TROBE UNIVERSITY AND THE VICTORIAN HEALTH PROMOTION FOUNDATION** - Mr Speaker reported that, that day, this House met with the Legislative Council in the Assembly Chamber for the purpose of sitting and voting together to recommend for appointment Members of Parliament to the Councils of the Royal Melbourne Institute of Technology and La Trobe University and to elect a Member of Parliament to the Victorian Health Promotion Foundation, and that -

The Honourable Barry Thomas Pullen, MLC

was recommended for appointment as a member of the Council of the Royal Melbourne Institute of Technology; and

The Honourable Anthony John Sheehan, MP

was recommended for appointment as a member of the Council of La Trobe University; and

The Honourable Ronald Alexander Best, MLC

was elected to the Victorian Health Promotion Foundation.

- 31 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Gaming Machine Control (Amendment) Bill
  - State Taxation (Further Omnibus Amendment) Bill
  - Building (Amendment) Bill
  - Road Safety (Amendment) Bill.
- 32 **SMALL BUSINESS VICTORIA (REPEAL) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until the Government is able to demonstrate an understanding of the problems faced by small businesses and sets out a plan for the small business sector - (a) addressing the regulatory burden that small businesses continue to face; (b) addressing the widespread concern among small businesses regarding the effect of gambling on small business; (c) addressing the concern expressed by small businesses regarding the extension of shop trading hours; (d) addressing the growing pessimism amongst small businesses regarding future business prospects; and (e) incorporating the reduction in taxes and charges to small businesses promised by the Premier in January 1994 and never acted upon" (*Mr Loney*) - and, after debate -
- Motion made and question - That the debate be now adjourned (*Mr Plowman, Benambra*) - put and agreed to.
- Ordered - That the debate be adjourned until tomorrow.
- 33 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE - MEMBERSHIP** - Motion made, by leave, and question - That Mr Steggall be discharged from attendance on the Public Accounts and Estimates Committee (*Mr Gude*) - put and agreed to.
- 34 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Professional Boxing and Martial Arts Bill without amendment.
- 35 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 36 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 10.56 p.m., adjourned until tomorrow.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 26 - Thursday, 31 October 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PRESENTATION OF ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR** - Mr Speaker reported that, as directed by the House, he had, that day, presented to His Excellency the Governor the Address of the Legislative Assembly in reply to the Speech of His Excellency on the Opening of the Parliament.

His Excellency was pleased to make the following Reply:

Mr Speaker and Members of the Legislative Assembly:

In the name and on behalf of 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.

R. E. McGARVIE  
Governor of Victoria

Melbourne 31 October 1996

- 3 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
  - St. Vincent's Hospital** - Seeking that the House take action to - (a) provide a level of funding necessary for St. Vincent's Hospital to provide the optimum range of health care services from its Fitzroy site; and (b) provide new and additional facilities necessary to service the health needs in the outer metropolitan and country areas, bearing 38,606 signatures (*by Mr Dollis*).

Ordered to lie on the Table.
- 4 **PETITION - ST VINCENT'S HOSPITAL** - Motion made and question - That the petition presented by the Member for Richmond relating to the St Vincent's Hospital be taken into consideration, by leave, later this day (*Mr Dollis*) - put and agreed to.
- 5 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
  - Adult, Community and Further Education Board - Report for the year 1995-96
  - Auditor-General's Office - Report for the year 1995-96
  - Bacchus Marsh and Melton Memorial Hospital - Report for the year 1995-96
  - Ballarat Base Hospital - Report for the year 1995-96
  - Barwon Region Water Authority - Report for the year 1995-96
  - Board of Studies - Report for the year 1995-96
  - Central Highlands Region Water Authority - Report for the year 1995-96
  - Coal Mine Workers' Pensions Tribunal (Victoria) - Report for the year 1995-96
  - Daratech Pty Ltd - Report for the year 1995-96
  - Dental Health Services Victoria - Report for the year 1995-96

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- Docklands Authority - Report for the year 1995-96
- Donald District Hospital and District Nursing Home - Report for the year 1995-96
- Echuca Regional Health - Report for the year 1995-96
- Education Department - Report for the year 1995-96
- Energy Brix Australia Corporation - Report for the year 1995-96
- Far East Gippsland Health and Support Service - Report for the year 1995-96
- Gas and Fuel Superannuation Fund - Report for the year 1995-96
- Geelong Hospital - Report for the year 1995-96 (two papers)
- Geelong Performing Arts Centre Trust - Report for the year 1995-96
- Generation Victoria - Report for the year 1995-96
- Gippsland Southern Health Service - Report for the year 1995-96
- Human Services Department - Report for the year 1995-96
- Infrastructure Department - Report for the year 1995-96
- Justice Department - Report for the year 1995-96, with the following Appendices -
- Appendix A: Report of Operations of the Equal Opportunity Commission for the year 1995-96 - Ordered to be printed
  - Appendix B: Report of Operations of the Guardianship and Administration Board for the year 1995-96
  - Appendix C: Report of Operations of the Office of the Public Advocate for the year 1995-96 - Ordered to be printed
- Kyabram and District Memorial Community Hospital - Report for the year 1995-96
- Kyneton District Health Service - Report for the year 1995-96
- Latrobe Regional Hospital - Report for the year 1995-96 (two papers)
- Libraries Board of Victoria - Report for the year 1995-96
- Local Authorities Superannuation Board - Report for the year 1995-96
- Lower Murray Region Water Authority - Report for the year 1995-96
- Marine Board of Victoria - Report for the year 1995-96
- Melbourne City Link Authority - Report for the year 1995-96
- Melbourne Exhibition Centre Trust - Report for the year 1995-96
- Melbourne Market Authority - Report for the year 1995-96 (two papers)
- Murray Valley Citrus Marketing Board - Report for the year 1995-96
- Murray Valley Wine Grape Industry Negotiating Committee - Report for the year 1995-96
- Museum of Victoria Council - Report for the year 1995-96
- National Gallery of Victoria - Report for the year 1995-96
- National Parks Advisory Council - Report for the year 1995-96
- Natural Resources and Environment Department - Report for the year 1995-96 (two papers)
- Overseas Projects Corporation of Victoria - Report for the year 1995-96
- Parliamentary Contributory Superannuation Fund - Report for the year 1995-96

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Police Board of Victoria - Report for the year 1995-96  
Public Prosecutions - Report of the Director, Committee and Office for the year 1995-96  
Public Record Office - Report for the year 1995-96  
Public Transport Corporation - Report for the year 1995-96  
Queen Victoria Women's Centre Trust - Report for the year 1995-96  
Ripon Peace Memorial Hospital Beaufort - Report for the year 1995-96  
Roads Corporation (VicRoads) - Report for the year 1995-96  
Rochester and Elmore District Health Service - Report for the year 1995-96  
Royal Botanic Gardens Board - Report for the year 1995-96  
Southern Health Care Network - Report for the year 1995-96  
Southern Hydro Limited - Report for the year 1995-96  
State Development Department - Report for the year 1995-96  
State Electricity Commission - Report for the year 1995-96  
State Library of Victoria Council - Report for the year 1995-96  
State Training Board - Report for the year 1995-96  
Sunraysia Rural Water Authority - Report for the year 1995-96  
Telvic Limited - Report for the year 1995-96  
Tomato Industry Negotiating Committee - Report for the year 1995-96  
Transport Accident Commission - Report for the year 1995-96  
Treasury and Finance Department - Report for the year 1995-96  
Trust for Nature (Victoria) - Report for the year 1995-96  
Veterinary Board of Victoria - Report for the year 1995  
Victoria Legal Aid - Report for the year 1995-96  
Victoria Police - Report for the year 1995-96  
Victorian Channels Authority - Report for the year 1995-96  
Victorian Dairy Industry Authority - Report for the year 1995-96  
Victorian Electoral Commission - Report for the year 1995-96  
Victorian Electricity Industry Superannuation Fund - Report for the year 1995-96  
Victorian Institute of Forensic Medicine - Report for the year 1995-96  
Victorian Meat Authority - Report for the year 1995-96  
Victorian Relief Committee - Report for the year 1995-96  
Victorian Superannuation Board - Report for the year 1995-96  
Victorian WorkCover Authority - Report for the year 1995-96  
Wangaratta District Base Hospital - Report for the year 1995-96  
West Gippsland Hospital - Report for the year 1995-96  
West Wimmera Health Service - Report for the year 1995-96  
Western Highlands Health Service - Report for the year 1995-96 (two papers)  
Yarra Bend Park Trust - Report for the year 1995-96.

6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Shop Trading Reform Bill without amendment.

7 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 12 November 1996 (*Mr Gude*) - put and agreed to.

8 **COURTS AND TRIBUNALS (GENERAL AMENDMENT) BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to ensure that the Magistrate's Courts are equipped with appropriate resources and expertise to deal with the increased jurisdictional limits imposed by the Bill and that an impact assessment be undertaken prior to the introduction of the legislation to determine the effect of the increase in jurisdictional limits on access to justice" (*Mr Hulls*) - and, after debate -

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

The House divided.

AYES, 51

Mr Andrighetto	Mr John	Mr Perrin	Mr Thompson
Mr Ashley	Mr Kilgour	Mr Perton	Mr Treasure
Mr Brown	Mr Leigh	Mrs Peulich	Mrs Wade
Ms Burke	Mr Lupton	Mr Plowman	Mr Wells
Mr Clark	Mr McArthur	( <i>Benambra</i> )	
Mr Coleman	Ms McCall	Mr Reynolds	
Mr Cooper	Mrs McGill	Mr Richardson	
Dr Dean	Mr McGrath	Mr Rowe	
Mr Dixon	( <i>Wimmera</i> )	Mr Ryan	
Mr Elder	Mr McLellan	Mr Savage	
Mrs Elliott	( <i>Frankston East</i> )	Mrs Shardey	
Mr Finn	Mr McNamara	Mr Smith	
Mr Gude	Mr Maclellan	( <i>Glen Waverley</i> )	
Mrs Henderson	( <i>Pakenham</i> )	Mr Smith	
Mr Honeywood	Mr Maughan	( <i>Polwarth</i> )	Tellers
Mr Jasper	Dr Napthine	Mr Spry	Mr Lean
Mr Jenkins	Mr Paterson	Mr Steggall	Mr Phillips

## NOES, 25

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Batchelor	Ms Gillett	Mr Micallef	
Mr Bracks	Mr Hamilton	Mr Mildenhall	
Mr Cameron	Mr Hulls	Mr Pandazopoulos	<i>Tellers</i>
Mrs Campbell	Ms Kosky	Mr Seitz	Mr Lim
Mr Carli	Mr Langdon	Mr Sheehan	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 9 **CRIMES (FEMALE GENITAL MUTILATION) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mrs Campbell announced that it was proposed to move amendments in Committee 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 p.m.  
pursuant to Sessional Orders.*

- 10 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 11 **CRIMES (FEMALE GENITAL MUTILATION) BILL** - Debate continued on question - That this Bill be now read a second time.

*Allocation of time - The Acting Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 29 October 1996 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 and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 12 **SMALL BUSINESS (VICTORIA REPEAL) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until the Government is able to demonstrate an understanding of the problems faced by small businesses and sets out a plan for the small business sector - (a) addressing the regulatory burden that small businesses continue to face; (b) addressing the widespread concern among small businesses regarding the effect of gambling on small business; (c) addressing the concern expressed by small businesses regarding the extension of shop trading hours; (d) addressing the growing pessimism amongst small businesses regarding future business prospects; and (e) incorporating the reduction in taxes and charges to small businesses promised by the Premier in January 1994 and never acted upon".

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

The House divided.

AYES, 52

Mr Andrighetto	Mr Kennett	Mr Perrin	Mr Traynor
Mr Ashley	Mr Kilgour	Mrs Peulich	Mr Treasure
Mr Brown	Mr Leigh	Mr Plowman	Mrs Wade
Ms Burke	Mr Lupton	(Benambra)	Mr Wells
Mr Clark	Mr McArthur	Mr Reynolds	
Mr Coleman	Ms McCall	Mr Richardson	
Mr Cooper	Mrs McGill	Mr Rowe	
Dr Dean	Mr McGrath	Mr Ryan	
Mr Dixon	(Wimmera)	Mr Savage	
Mr Elder	Mr McLellan	Mrs Shardey	
Mrs Elliott	(Frankston East)	Mr Smith	
Mr Finn	Mr McNamara	(Glen Waverley)	
Mrs Henderson	Mr Maclellan	Mr Spry	
Mr Honeywood	(Pakenham)	Mr Steggall	
Mr Jasper	Mr Maughan	Mr Stockdale	Tellers
Mr Jenkins	Dr Napthine	Mrs Tehan	Mr Lean
Mr John	Mr Paterson	Mr Thompson	Mr Phillips

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Lim	Mr Thwaites
Mr Baker	Mr Dollis	Mr Loney	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mrs Maddigan	
Mr Bracks	Mr Hamilton	Mr Micallef	
Mr Brumby	Mr Hulls	Mr Mildenhall	
Mrs Campbell	Ms Kosky	Mr Pandazopoulos	Tellers
Mr Carli	Mr Langdon	Mr Seitz	Mr Cameron
Mr Cole	Mr Leighton	Mr Sheehan	Ms Gillett

And so it was resolved in the affirmative.

Question - That this Bill be now read a second time and a third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 13 **EDUCATION (AMENDMENT) BILL** - 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 and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 14 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 5 to 12 inclusive, be postponed until later this day.

- 15 **WITNESS PROTECTION (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).

*Mr McGrath, Wimmera made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*

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

Ordered - That the debate be adjourned until Thursday, 14 November 1996.

- 16 **FIREARMS BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).
- Mr McGrath, Wimmera made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Pandazopoulos*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 14 November 1996.
- 17 **CO-OPERATIVES BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Pandazopoulos*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 14 November 1996.
- 18 **FRIENDLY SOCIETIES (VICTORIA) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Pandazopoulos*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 14 November 1996.
- 19 **MOTOR CAR TRADERS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Pandazopoulos*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 14 November 1996.
- 20 **VICTIMS OF CRIME ASSISTANCE BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Mrs Wade made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 14 November 1996.
- 21 **RAIL CORPORATIONS BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).
- Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 14 November 1996.
- 22 **OPTOMETRISTS REGISTRATION BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Naphthine*).
- Dr Naphthine made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Thwaites*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 14 November 1996.

- 
- 23 **LORD MAYOR'S CHARITABLE FUND BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Naphthine*).  
Motion made and question - That the debate be now adjourned (*Mr Thwaites*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 14 November 1996.
- 24 **MENTAL HEALTH (INTERSTATE PROVISIONS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Naphthine*).  
Motion made and question - That the debate be now adjourned (*Mr Thwaites*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 14 November 1996.
- 25 **STOCK (SELLER LIABILITY AND DECLARATIONS) (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McNamara*).  
Motion made and question - That the debate be now adjourned (*Mr Cameron*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 14 November 1996.
- 26 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr McNamara*) - put and agreed to.
- 27 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 7.05 p.m., adjourned until Tuesday, 12 November 1996.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS

Nos. 27, 28 and 29

### No. 27 - Tuesday, 12 November 1996

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **RACIAL TOLERANCE** - Motion made, by leave, and question - That this House - (a) reaffirms its commitment to the right of all Australians to enjoy equal rights and be treated with equal respect regardless of race, colour, creed or origin; (b) reaffirms its commitment to maintaining an immigration policy wholly non-discriminatory on grounds of race, colour, creed or origin; (c) reaffirms its commitment to the process of reconciliation with Aboriginal and Torres Strait Islander people, in the context of redressing their profound social and economic disadvantage; (d) reaffirms its commitment to maintaining Australia as a culturally diverse, tolerant and open society, united by an over-riding commitment to our nation and its democratic institutions and values; and (e) denounces racial intolerance in any form as incompatible with the kind of society we are and want to be (*Mr Kennett*) - put, after debate, and agreed to.
- 4 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:  

**Separate Ministry for the Aged** - Seeking that a separate Ministry for the Aged be created immediately with increased community consultations and the continuance of quality service, bearing 502 signatures (*by Mr Smith, Glen Waverley*).

Ordered to lie on the Table.
- 5 **HOUSE COMMITTEE REPORT** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Department of the House Committee for the year 1995-96 (*Mr Dollis*) - put and agreed to.
- 6 **PAPER** - Mr Dollis presented:  

Department of the House Committee - Report for the year 1995-96 - Return to the foregoing Order.

Ordered to lie on the Table.
- 7 **GUIDELINES FOR THE CLASSIFICATION OF FILMS AND VIDEOTAPES** - Motion made, by leave, and question - That there be presented to this House a copy of Guidelines for the Classification of Films and Videotapes (Amendment) (No.1) (*Mrs Wade*) - put and agreed to.
- 8 **PAPER** - Mrs Wade presented:  

Guidelines for the Classification of Films and Videotapes (Amendment) (No.1) - Return to the foregoing Order.

Ordered to lie on the Table.

- 9 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 8 of 1996 on the -

Friendly Societies (Victoria) Bill  
 Co-operatives Bill  
 Victims of Crime Assistance Bill  
 Lord Mayor's Charitable Fund Bill  
 Optometrists Registration Bill  
 Rail Corporations Bill  
 Stock (Seller Liability and Declarations) (Amendment) Bill  
 Witness Protection (Amendment) Bill  
 Mental Health (Interstate Provisions) Bill  
 Motor Car Traders (Amendment) Bill  
 Firearms Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

- 10 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Adult Parole Board - Report for the year 1995-96  
 Anti-Cancer Council of Victoria - Report for the year 1995-96 (two papers)  
 Australian Food Industry Science Centre - Report for the year 1995-96  
 Bethlehem Hospital Incorporated - Report for the year 1995-96 (two papers)  
 Central Wellington Health Service, Sale - Report for the year 1995-96  
 Coleraine District Hospital and Aged Care Services - Report for the year 1995-96  
 Drugs, Poisons and Controlled Substances Act 1981 - Poisons Code - Amendment No. 3 to the Standard for the Uniform Scheduling of Drugs and Poisons No. 11, and Notice regarding the amendment, commencement and availability of the Poisons Code (two papers)  
 Dunmunkle Health Services - Report for the year 1995-96  
 Eastern Health Care Network - Report for the year 1995-96  
 Edenhope and District Memorial Hospital - Report for the year 1995-96  
 Financial Management Act 1994 -  
     Report of the Minister for Health advising that he had received the 1995-96 Annual Report of the Yarram and District Health Service  
     Report of the Minister for Sport advising that he had received the 1995-96 Annual Report of the Victorian Institute of Sport  
 Flora and Fauna Guarantee Act 1988 - Order in Council adding items and repealing an item to Schedule 2 - List of Taxa and Communities of Flora or Fauna which are threatened and Schedule 3 - List of potentially threatening processes  
 Health Computing Services Victoria Limited - Report for the year 1995-96  
 Housing Guarantee Fund Ltd - Report for the year 1995-96  
 Ingelwood and Districts Health Service - Report for the period ended 30 June 1996  
 Ingelwood Hospital - Report for the period ended 31 December 1995

Judicial Remuneration Tribunal - Report on Judicial Salary and Allowances, 23 September 1996

Melbourne and Olympic Parks Trust - Report for the year 1995-96

Melbourne City Link Act 1995 - Order pursuant to section 8(4) increasing and decreasing the Project area

Optometrists Registration Board - Report for the year 1995-96

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

Bacchus Marsh Planning Scheme - Nos. L47, L51

Bairnsdale (Shire) Planning Scheme - No. L51

Banyule Planning Scheme - No. L5

Cranbourne Planning Scheme - No. L193

Euroa Planning Scheme - No. L27

Frankston Planning Scheme - No. L79

Greater Bendigo Planning Scheme - Nos. AMA 2, L43

Greater Geelong Planning Scheme - Nos. L163, L166

Hobsons Bay Planning Scheme - No. AMA1

Maffra Planning Scheme - No. L31

Maroondah Planning Scheme - Nos. L5, L6

Melbourne Planning Scheme - No. L225

Melton Planning Scheme - No. L62

Milawa Planning Scheme - No. L8

Mitchell Planning Scheme - No. L5

Moira Planning Scheme - Nos. L10, L14, L17

Orbost Planning Scheme - No. L27

Port of Melbourne Planning Scheme - No. L17

Port Phillip Planning Scheme - Nos. L33, L34

Warragul Planning Scheme - No. L53

Warrnambool Planning Scheme - No. L8

Werribee Planning Scheme - Nos. L102, L103, L104, L105, L106

Wodonga Rural City Planning Scheme - No. L18

Yarra Planning Scheme - No. L20

Yarra Ranges Planning Scheme - Nos. L2, L12 Part 1

Radiation Advisory Committee - Report for the year ended 30 September 1996

Skipton and District Memorial Hospital - Report for the year 1995-96

Stamps Act 1958 - Report of exemptions and partial approved refunds made pursuant to section 137R for the year 1995-96

Stawell District Hospital - Report for the year 1995-96

Tawonga District General Hospital - Report for the year 1995-96

Transport Act 1983 - Order for transfer of assets and liabilities pursuant to section 81(5)

Tweddle Child and Family Health Service - Report for the year 1995-96 (two papers)

Victorian Health Promotion Foundation - Report for the year 1995-96

Warracknabeal District Hospital - Report for the year 1995-96

Waste Management Council - Report for the year 1995-96

Western Health Care Network - Report for the year 1995-96

Wimmera Health Care Group - Report for the year 1995-96

Women's and Children's Health Care Network - Report for the year 1995-96

Wonthaggi and District Hospital - Report for the year 1995-96

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Gaming Acts (Amendment) Act 1996 - Part 5 on 1 November 1996 (*Gazette No. G43, 31 October 1996*)

Westpac and Bank of Melbourne (Challenge Bank) Act 1996 - Section 36 on 1 November 1996 (*Gazette No. G43, 31 October 1996*).

- 11 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

On 6 November 1996

Legal Practice Bill  
Professional Boxing and Martial Arts Bill  
Road Safety (Amendment) Bill  
Shop Trading Reform Bill

On 12 November 1996

Building (Amendment) Bill  
Farm Produce Wholesale (Amendment) Bill  
Gaming Machine Control (Amendment) Bill  
State Taxation (Further Omnibus Amendment) Bill.

- 12 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Co-operatives Bill  
Firearms Bill  
Friendly Societies (Victoria) Bill  
Motor Car Traders (Amendment) Bill  
Optometrists Registration Bill  
Rail Corporations Bill  
Victims of Crime Assistance Bill  
Witness Protection (Amendment) Bill.

- 13 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 14 November 1996:

Electricity Industry (Further Amendment) Bill  
Births, Deaths and Marriages Registration Bill  
Miscellaneous Acts (Further Omnibus Amendments) Bill  
Health Acts (Further Amendment) Bill  
Chiropractors Registration Bill  
Osteopaths Registration Bill  
Witness Protection (Amendment) Bill  
Co-operatives Bill  
Lord Mayor's Charitable Fund Bill

(*Mr Stockdale*) - put and agreed to.

- 
- 14 **ELECTRICITY INDUSTRY (FURTHER AMENDMENT) BILL** - 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, read a third time forthwith.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 **BIRTHS, DEATHS AND MARRIAGES REGISTRATION BILL** - 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, read a third time forthwith.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 **MISCELLANEOUS ACTS (FURTHER OMNIBUS AMENDMENTS) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until a gambling code of conduct incorporating appropriate advertising and industry standards applies under Victorian gambling legislation which also would include conditions relating to the extension of credit to non Australian premium players proposed by amendments in Part 5 of the Bill to the Casino Control Act 1991" (*Mr Hulls*) - and, after debate -  
*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*
- 17 **ADJOURNMENT** - Mr Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.47 p.m.

PHILIP J MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 28 - Wednesday, 13 November 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:  
**Shire of Melton Commissioners** - Seeking that the Government take steps to retain the appointed Commissioners of the Shire of Melton by extending the terms of the present Commissioners to March 1999, bearing 4,472 signatures (*by Mr Cunningham*).  
Ordered to lie on the Table.
- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:  
Statutory Rules under the following Acts:

Business Names Act 1962 - S.R. No. 113  
 Consumer Credit (Victoria) Act 1995 - S.R. No. 116  
 Credit (Administration) Act 1984 - S.R. Nos. 114, 116  
 Domestic Building Contracts and Tribunal Act 1995 - S.R. No. 115  
 Gaming Machine Control Act 1991 - S.R. No. 118  
 Lotteries Gaming and Betting Act 1966 - S.R. No. 117

Subordinate Legislation Act 1994 - Ministers' exemption certificates in relation to Statutory Rule Nos. 113, 114, 115, 116, 118.

**4 MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Children and Young Persons (Miscellaneous Amendments) Bill  
 North Melbourne Lands Bill.

**5 ADJOURNMENT MOTION - MINIMUM CONDITIONS OF EMPLOYMENT** - Mr Bracks proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

"The Government's failure to set adequate minimum conditions of employment and to protect Victorian workers in the process announced by the Government for the transfer from the State Industrial Relations system to the Commonwealth Industrial Relations system."

Mr Speaker having ascertained that twelve members approved of the proposed discussion - Motion made and question - That the House do now adjourn (*Mr Bracks*) - after debate, put. The House divided.

AYES, 26

Mr Andrianopoulos	Mr Cunningham	Mr Langdon	Mr Seitz
Mr Baker	Mr Dollis	Mr Leighton	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Ms Gillett	Mrs Maddigan	
Mr Cameron	Mr Haermeyer	Mr Micallef	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Mr Carli
Mr Cole	Ms Kosky	Mr Pandazopoulos	Mr Lim

NOES, 52

Mr Andrighetto	Mr Jasper	Mr Maclellan	Mr Smith
Mr Ashley	Mr Jenkins	( <i>Pakenham</i> )	( <i>Glen Waverley</i> )
Mr Brown	Mr John	Mr Maughan	Mr Smith
Ms Burke	Mr Kilgour	Dr Napthine	( <i>Polwarth</i> )
Mr Clark	Mr Lean	Mr Paterson	Mr Spry
Mr Coleman	Mr Leigh	Mr Perrin	Mrs Tehan
Mr Cooper	Mr Lupton	Mr Pescott	Mr Thompson
Dr Dean	Mr McArthur	Mrs Peulich	Mr Traynor
Mr Dixon	Ms McCall	Mr Plowman	Mr Treasure
Mr Doyle	Mrs McGill	( <i>Benambra</i> )	Mrs Wade
Mr Elder	Mr McGrath	Mr Reynolds	Mr Wells
Mrs Elliott	( <i>Warrnambool</i> )	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	<i>Tellers</i>
Mr Gude	( <i>Frankston East</i> )	Mr Ryan	Mr Phillips
Mrs Henderson	Mr McNamara	Mrs Shardey	Mr Savage

And so it passed in the negative.

- 
- 6 **BETTER ROADS PROGRAM** - Motion made and question proposed - That this House congratulates the Victorian Government on the improvements to roads in all parts of Victoria and its highly successful Better Roads Program (*Mr Perrin*).

*General Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 7 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 8 **ARTS INSTITUTIONS (AMENDMENT) BILL** - Mr Kennett obtained leave, with Mr McNamara, to bring in a Bill "*to amend the Libraries Act 1988, the Museums Act 1983, the National Gallery of Victoria Act 1966, the Ministry for the Arts Act 1972 and the Public Records Act 1973 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 **COMMONWEALTH POWERS (INDUSTRIAL RELATIONS) BILL** - Mr Kennett obtained leave, with Mr McNamara, to bring in a Bill "*to refer to the Parliament of the Commonwealth certain matters relating to industrial relations and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 **PLANNING AND ENVIRONMENT (PLANNING SCHEMES) BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr Gude, to bring in a Bill "*to amend the Planning and Environment Act 1987 in relation to planning schemes and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 11 **PARLIAMENT HOUSE COMPLETION AUTHORITY (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*), after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Parliament House Completion Authority Act 1996 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 12 **CASINO (MANAGEMENT AGREEMENT) (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr Gude, to bring in a Bill "*to amend the Casino (Management Agreement) Act 1993 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 13 **MELBOURNE CONVENTION AND EXHIBITION TRUST BILL** - Mr Reynolds obtained leave, with Mr Kennett, to bring in a Bill "*to establish a Melbourne Convention and Exhibition Trust to manage convention and exhibition facilities and services and to carry out certain other functions, to abolish the Melbourne Exhibition Centre Trust, to repeal the Melbourne Exhibition Centre Act 1994 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 14 **PIPELINES (AMENDMENT) BILL** - Mr McNamara, after debate, obtained leave with Mr Kennett, to bring in a Bill "*to amend the Pipelines Act 1967 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 15 **FISHERIES (AMENDMENT) BILL** - Mr McNamara obtained leave, with Mr Kennett, to bring in a Bill "*to amend the Fisheries Act 1968, the Fisheries Act 1995, to close the Port Phillip Bay scallop dredge fishery and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 
- 16 **MAGISTRATES' COURT (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to amend the Magistrates' Court Act 1989 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 **QUEEN VICTORIA MARKET LANDS BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to revoke the permanent reservations and Crown grants and provide for the surrender of certain land in relation to the Queen Victoria Market site, to provide for the granting of that land to the City of Melbourne, to repeal the Melbourne General Market Site Act 1877, the Melbourne Lands Exchange Act 1904 and the Melbourne General Market Lands Act 1917 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 **LAND (FURTHER REVOCATION OF RESERVATIONS) BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to revoke certain reservations over land at Carisbrook, Bullarto South and Burnley and to revoke certain Crown grants and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 **ENVIRONMENT PROTECTION (AMENDMENT) BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to amend the Environment Protection Act 1970 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 20 **ACCIDENT COMPENSATION (FURTHER AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr Gude, to bring in a Bill "*to make further amendments to the Accident Compensation Act 1985 and the Accident Compensation (WorkCover Insurance) Act 1993 and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 21 **CINEMEDIA CORPORATION BILL** - Mr Stockdale obtained leave, with Mr Kennett, to bring in a Bill "*to establish the Cinemedia Corporation, to repeal the Film Victoria Act 1981 and the State Film Centre of Victoria Council Act 1983 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 22 **HEALTH ACTS (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Question - put.

The House divided.

AYES, 47

Mr Ashley	Mr Lean	Mrs Peulich	Mr Steggall
Ms Burke	Mr Leigh	Mr Phillips	Mrs Tehan
Mr Clark	Mr Lupton	Mr Plowman	Mr Thompson
Mr Cooper	Mr McArthur	(Benambra)	Mr Traynor
Dr Dean	Ms McCall	Mr Reynolds	Mr Treasure
Mr Doyle	Mrs McGill	Mr Richardson	Mrs Wade
Mrs Elliott	Mr McLellan	Mr Rowe	Mr Wells
Mr Finn	(Frankston East)	Mr Ryan	
Mr Gude	Mr McNamara	Mrs Shardey	
Mrs Henderson	Mr Maughan	Mr Smith	
Mr Jasper	Dr Napthine	(Glen Waverley)	
Mr Jenkins	Mr Paterson	Mr Smith	Tellers
Mr John	Mr Perrin	(Polwarth)	Mr Andrighetto
Mr Kilgour	Mr Pescott	Mr Spry	Mr Dixon

NOES, 28

Mr Andrianopoulos	Mr Cole	Mr Langdon	Mr Thwaites
Mr Baker	Mr Cunningham	Mr Leighton	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mr Cameron	Mr Hamilton	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Mr Lim
Mr Carli	Ms Kosky	Mr Seitz	Mr Savage

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 23 **MESSAGE FROM THE LEGISLATIVE COUNCIL - Agreeing to the Children's Services Bill with amendments.**

Ordered - That the said amendments be printed and taken into consideration tomorrow.

- 24 **MESSAGE FROM THE LEGISLATIVE COUNCIL - Agreeing to the Corrections (Amendment) Bill without amendment.**

- 25 **CHIROPRACTORS REGISTRATION BILL - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.**

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 26 **OSTEOPATHS REGISTRATION BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 27 **MISCELLANEOUS ACTS (FURTHER OMNIBUS AMENDMENTS) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until a gambling code of conduct incorporating appropriate advertising and industry standards applies under Victorian gambling legislation which also would include conditions relating to the extension of credit to non Australian premium players proposed by amendments in Part 5 of the Bill to the Casino Control Act 1991" - and, after debate.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 28 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, at 10.01 p.m.

PHILIP J MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 29 - Thursday, 14 November 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **MOTOR CAR TRADERS (AMENDMENT) BILL** - Pursuant to section 85 of the *Constitution Act 1975*, Mrs Wade gave a notice of intention to make a statement of the reasons for altering or varying that section by the insertion of a new clause into the Motor Car Traders (Amendment) Bill that she intends to propose in Committee.
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Eastmont Primary School** - Seeking that Eastmont Primary School be resourced adequately to enable it to remain open and continue to offer quality education to the local community, bearing 331 signatures (*by Mr Richardson*).
- Water Levy - Wellington Shire** - Seeking that the introduction of a water levy by the Wellington Shire to clear the waterways, which the Government has refused to fund, be withdrawn, bearing 270 signatures (*by Mr Hamilton*).

Severally ordered to lie on the Table.

- 4 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Auditor-General - Special Report No. 45 - Building Better Cities: A joint government approach to urban development - Ordered to be printed

Casino (Management Agreement) Act 1993 - Authorized variations to Drawings of the Melbourne Casino Complex pursuant to section 16(2) (51 papers)

Recycling and Resource Recovery Council - Report for the year 1995-96.

- 5 **WITNESS PROTECTION (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 6 **CO-OPERATIVES BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 7 **LORD MAYOR'S CHARITABLE FUND BILL** - 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 p.m.  
pursuant to Sessional Orders.*

- 8 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 9 **LORD MAYOR'S CHARITABLE FUND BILL** - Debate continued on question - That this Bill be now read a second time. Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 10 **MISCELLANEOUS ACTS (FURTHER OMNIBUS AMENDMENTS) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until a gambling code of conduct incorporating appropriate advertising and industry standards applies under Victorian gambling legislation which also would include conditions relating to the extension of credit to non Australian premium players proposed by amendments in Part 5 of the Bill to the Casino Control Act 1991."

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

The House divided.

AYES, 55

Mr Andrighetto	Mr Kennett	Mr Paterson	Mr Smith
Mr Ashley	Mr Kilgour	Mr Perrin	( <i>Polwarth</i> )
Mr Clark	Mr Lean	Mr Perton	Mr Spry
Mr Coleman	Mr Leigh	Mr Pescott	Mr Steggall
Mr Cooper	Mr Lupton	Mrs Peulich	Mr Stockdale
Dr Dean	Mr McArthur	Mr Phillips	Mrs Tehan
Mr Dixon	Ms McCall	Mr Plowman	Mr Thompson
Mr Doyle	Mr McGrath	( <i>Benambra</i> )	Mr Traynor
Mr Elder	( <i>Warrnambool</i> )	Mr Reynolds	Mr Treasure
Mrs Elliott	Mr McLellan	Mr Richardson	Mrs Wade
Mr Finn	( <i>Frankston East</i> )	Mr Rowe	Mr Wells
Mr Gude	Mr McNamara	Mr Ryan	
Mrs Henderson	Mr Maclellan	Mr Savage	<i>Tellers</i>
Mr Jasper	( <i>Pakenham</i> )	Mrs Shardey	Ms Burke
Mr Jenkins	Mr Maughan	Mr Smith	Mrs McGill
Mr John	Dr Napthine	( <i>Glen Waverley</i> )	

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Leighton	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Lim	
Mr Batchelor	Ms Gillett	Mr Loney	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mr Brumby	Mr Hamilton	Mr Pandazopoulos	
Mr Carli	Mr Hulls	Mr Seitz	<i>Tellers</i>
Mr Cole	Ms Kosky	Mr Sheehan	Mrs Campbell
Mr Cunningham	Mr Langdon	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 11 **ARTS INSTITUTIONS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Kennett*).

Motion made and question - That the debate be now adjourned (*Mrs Maddigan*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 28 November 1996.

- 12 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 6 to 16 inclusive, be postponed until later this day.

- 13 **ACCIDENT COMPENSATION (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).

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

Motion made and question proposed - That the debate be adjourned for two weeks (*Mr Stockdale*).

Amendment proposed - That the words "two weeks" be omitted with the view of inserting in place thereof the words "two months" (*Mr Bracks*) - and, after debate -

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

The House divided.

\*AYES, 54

Mr Andrighetto	Mr John	Mr Perrin	Mr Spry
Mr Ashley	Mr Kennett	Mr Perton	Mr Steggall
Ms Burke	Mr Kilgour	Mr Pescott	Mr Stockdale
Mr Clark	Mr Leigh	Mrs Peulich	Mrs Tehan
Mr Coleman	Mr Lupton	Mr Plowman	Mr Thompson
Mr Cooper	Mr McArthur	( <i>Benambra</i> )	Mr Traynor
Dr Dean	Ms McCall	Mr Reynolds	Mr Treasure
Mr Dixon	Mrs McGill	Mr Richardson	Mrs Wade
Mr Doyle	Mr McLellan	Mr Rowe	Mr Wells
Mr Elder	( <i>Frankston East</i> )	Mr Ryan	
Mrs Elliott	Mr McNamara	Mr Savage	
Mr Finn	Mr Maclellan	Mrs Shardey	
Mr Gude	( <i>Pakenham</i> )	Mr Smith	
Mrs Henderson	Mr Maughan	( <i>Glen Waverley</i> )	<i>Tellers</i>
Mr Jasper	Dr Naphthine	Mr Smith	Mr Lean
Mr Jenkins	Mr Paterson	( <i>Polwarth</i> )	Mr Phillips

NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mrs Wilson
Mr Baker	Mr Dollis	Mr Loney	
Mr Batchelor	Ms Garbutt	Mrs Maddigan	
Mr Bracks	Mr Haermeyer	Mr Micalef	
Mr Brumby	Mr Hamilton	Mr Mildenhall	
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Ms Kosky	Mr Seitz	Ms Gillett
Mr Cole	Mr Langdon	Mr Thwaites	Mr Lim

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 28 November 1996.

- 14 **CINEMEDIA CORPORATION BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).

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

Ordered - That the debate be adjourned until Thursday, 28 November 1996.

- 15 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 19, be postponed until later this day.

- 16 **SUPERANNUATION ACTS (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).

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

\* Division corrected by direction of Mr Deputy Speaker. See Votes and Proceedings, Thursday, 14 November 1996 p.165.

Motion made and question proposed - That the debate be adjourned for two weeks  
(*Mr Stockdale*).

Amendment proposed - That the words "two weeks" be omitted with the view of inserting in place thereof the words "two months" (*Mr Bracks*) - and, after debate -

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

The House divided.

AYES, 52

Mr Andrighetto	Mr Kennett	Mr Perrin	Mr Steggall
Mr Ashley	Mr Kilgour	Mr Perton	Mr Stockdale
Ms Burke	Mr Lean	Mr Pescott	Mrs Tehan
Mr Clark	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Coleman	Mr Lupton	Mr Phillips	Mr Traynor
Mr Cooper	Mr McArthur	Mr Plowman	Mr Treasure
Dr Dean	Ms McCall	( <i>Benambra</i> )	Mr Wells
Mr Doyle	Mrs McGill	Mr Reynolds	
Mr Elder	Mr McLellan	Mr Richardson	
Mrs Elliott	( <i>Frankston East</i> )	Mr Rowe	
Mr Finn	Mr McNamara	Mr Ryan	
Mr Gude	Mr Maclellan	Mr Smith	
Mrs Henderson	( <i>Pakenham</i> )	( <i>Glen Waverley</i> )	
Mr Jasper	Mr Maughan	Mr Smith	<i>Tellers</i>
Mr Jenkins	Dr Napthine	( <i>Polwarth</i> )	Mr Dixon
Mr John	Mr Paterson	Mr Spry	Mrs Shardey

NOES, 27

Mr Andrianopoulos	Ms Gillett	Mr Loney	Mrs Wilson
Mr Baker	Mr Haermeyer	Mrs Maddigan	
Mr Batchelor	Mr Hamilton	Mr Micallef	
Mr Bracks	Mr Hulls	Mr Mildenhall	
Mr Brumby	Ms Kosky	Mr Pandazopoulos	
Mr Cunningham	Mr Langdon	Mr Savage	<i>Tellers</i>
Mr Dollis	Mr Leighton	Mr Seitz	Mrs Campbell
Ms Garbutt	Mr Lim	Mr Thwaites	Mr Carli

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 28 November 1996.

- 17 **MAGISTRATES' COURT (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).

*Mr Gude made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*

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

Ordered - That the debate be adjourned until Thursday, 28 November 1996.

- 18 **PLANNING AND ENVIRONMENT (PLANNING SCHEMES) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).

*Mr Maclellan (Pakenham) made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*

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

Ordered - That the debate be adjourned until Thursday, 28 November 1996.

- 19 **ERROR IN DIVISION LIST** - Mr Deputy Speaker informed the House that, in the division which took place in the House on the Accident Compensation (Further Amendment) Bill on the question "That the words proposed to be omitted stand part" it was reported to the House that the number for the "Ayes" was 53. On recounting it has been found that the number should be 54.

Mr Deputy Speaker then directed the Clerk to correct the Division List accordingly.

- 20 **PARLIAMENT HOUSE COMPLETION AUTHORITY (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).

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

Ordered - That the debate be adjourned until Thursday, 28 November 1996.

- 21 **CASINO (MANAGEMENT AGREEMENT) (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).

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

Ordered - That the debate be adjourned until Thursday, 28 November 1996.

- 22 **MELBOURNE CONVENTION AND EXHIBITION TRUST BILL**- Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).

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

Ordered - That the debate be adjourned until Thursday, 28 November 1996.

- 23 **PIPELINES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McNamara*).

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

Ordered, after debate - That the debate be adjourned until Thursday, 28 November 1996.

- 24 **FISHERIES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McNamara*).

*Mr McNamara made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*

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

Ordered - That the debate be adjourned until Thursday, 28 November 1996.

- 25 **QUEEN VICTORIA MARKET LANDS BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).

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

Ordered - That the debate be adjourned until Thursday, 28 November 1996.

- 26 **LAND (FURTHER REVOCATION OF RESERVATIONS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 28 November 1996.
- 27 **ENVIRONMENT PROTECTION (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 28 November 1996.
- 28 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mrs Tehan*) - put and agreed to.
- 29 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 7.44 p.m., adjourned until Tuesday, 19 November 1996.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS Nos. 30, 31 and 32

### No. 30 - Tuesday, 19 November 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:  

**Mount Stirling** - Seeking that Mount Stirling be protected from mechanical gondola, ski lifts and associated infrastructure and that it be preserved for all time, bearing 20,762 signatures (*by Mrs Elliott*).

Ordered to lie on the Table.
- 4 **PETITION - MOUNT STIRLING** - Motion made and question - That the petition presented by the Member for Mooroolbark relating to the mechanical gondola, ski lifts and associated infrastructure at Mount Stirling be taken into consideration tomorrow (*Ms Garbutt*) - put and agreed to.
- 5 **NATIONAL ROAD TRANSPORT COMMISSION REPORT** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the National Road Transport Commission for the year 1995-96 (*Mr Brown*) - put and agreed to.
- 6 **PAPER** - Mr Brown presented:  

National Road Transport Commission - Report for the year 1995-96 - Return to the foregoing Order.

Ordered to lie on the Table.
- 7 **CODE OF FOREST PRACTICES FOR TIMBER PRODUCTION** - Motion made, by leave, and question - That there be presented to this House a copy of the Code of Forest Practices for Timber Production - Revision No. 2, November 1996 together with an Instrument of Approval (*Mrs Tehan*) - put and agreed to.
- 8 **PAPER** - Mrs Tehan presented:  

Code of Forest Practices for Timber Production - Revision No. 2, November 1996 together with an Instrument of Approval - Return to the foregoing Order.

Ordered to lie on the Table and, by leave, to be taken into consideration tomorrow.

- 9 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 9 of 1996 on the -

Education (Amendment) Bill  
 Miscellaneous Acts (Further Omnibus Amendments) Bill  
 Rail Corporations Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

- 10 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Bendigo Health Care Group - Report for the year 1995-96 (two papers)

Caritas Christi Hospice Limited - Report for the year 1995-96

Crown Land (Reserves) Act 1978 - Section 17DA Orders granting, under Section 17D, leases in the City of Port Phillip (three papers)

Electricity Services Victoria - Report for the year 1995-96

Inner Health Care Network - Report for the year 1995-96

Interpretation of Legislation Act 1984 - Notice under section 32(3)(a) in relation to an Order varying State environment protection policy (Waters of Victoria) (Government Gazette No. G44, p. 2877, 7 November 1996)

Mercy Public Hospitals Incorporated - Report for the year 1995-96 (two papers)

Nurses Board of Victoria - Report for the year 1995-96

Ombudsman and Acting Deputy Ombudsman (Police Complaints) - Report for the year 1995-96 - Ordered to be printed

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

All Planning Schemes - No. SRL3

Brighton Planning Scheme - No. L35

Diamond Valley Planning Scheme - No. L50

Doncaster and Templestowe Planning Scheme - Nos. L39 Part 2, L93

Kingston Planning Scheme - No. L11

Pakenham Planning Scheme - No. L122

Shepparton City Planning Scheme - No. L60

Tambo Planning Scheme - No. L69

Yarra Ranges Planning Scheme - No. L20

Public Prosecutions - Report of the Director, Committee and Office for the year 1995-96 (*in lieu of Report previously tabled*)

St Vincent's Hospital Melbourne - Report for the year 1995-96 (two papers)

Statutory Rules under the following Acts:

Administration and Probate Act 1958 - S.R. No. 109

Competition Policy Reform (Victoria) Act 1995 - S.R. No. 62

Gaming Machine Control Act 1991 - S.R. No. 112

Heritage Act 1995 - S.R. Nos. 85, 86, 87

Magistrates' Court Act 1989 - S.R. No. 108  
 Police Regulation Act 1958 - S.R. No. 88  
 Road Safety Act 1986 - S.R. Nos. 63, 89, 90  
 Supreme Court Act 1986 - S.R. No. 110

Subordinate Legislation Act 1994 -

Ministers' exemption certificates in relation to Statutory Rule Nos. 54, 62, 112  
 Minister's exception certificates in relation to Statutory Rule Nos. 108, 109, 110

Upper Murray Health and Community Services - Report for the year 1995-96

Victoria Grants Commission - Report for the year ended 31 August 1996

Victorian Catchment and Land Protection Council - Report for the year 1995-96.

- 11 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question proposed - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 21 November 1996:

Commonwealth Powers (Industrial Relations) Bill  
 Firearms Bill  
 Friendly Societies (Victoria) Bill  
 Motor Car Traders (Amendment) Bill  
 Victims of Crime Assistance Bill  
 Rail Corporations Bill  
 Optometrists Registration Bill  
 Mental Health (Interstate Provisions) Bill  
 Stock (Seller Liability and Declarations) (Amendment) Bill  
 Children's Services Bill

(*Mr Gude*) - after debate, put.

The House divided.

AYES, 57

Mr Andrighetto	Mr John	Dr Napthine	Mr Steggall
Mr Ashley	Mr Kennett	Mr Paterson	Mr Stockdale
Mr Brown	Mr Kilgour	Mr Perrin	Mrs Tehan
Ms Burke	Mr Lean	Mr Perton	Mr Thompson
Mr Clark	Mr Leigh	Mr Pescott	Mr Traynor
Mr Coleman	Mr Lupton	Mrs Peulich	Mr Treasure
Mr Cooper	Ms McCall	Mr Phillips	Mrs Wade
Dr Dean	Mrs McGill	Mr Plowman	Mr Wells
Mr Dixon	Mr McGrath	( <i>Benambra</i> )	
Mr Doyle	( <i>Warrnambool</i> )	Mr Reynolds	
Mr Elder	Mr McGrath	Mr Richardson	
Mrs Elliott	( <i>Wimmera</i> )	Mr Rowe	
Mr Finn	Mr McLellan	Mr Ryan	
Mr Gude	( <i>Frankston East</i> )	Mrs Shardey	
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maclellan	( <i>Glen Waverley</i> )	
Mr Jasper	( <i>Pakenham</i> )	Mr Smith	Tellers
Mr Jenkins	Mr Maughan	( <i>Polwarth</i> )	Mr McArthur
			Mr Spry

## NOES, 28

Mr Andrianopoulos	Mr Cole	Mr Langdon	Mr Thwaites
Mr Baker	Mr Cunningham	Mr Leighton	Mrs Wilson
Mr Batchelor	Mr Dollis	Mr Loney	
Mr Bracks	Ms Garbutt	Mrs Maddigan	
Mr Brumby	Ms Gillett	Mr Micallef	
Mr Cameron	Mr Haermeyer	Mr Pandazopoulos	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Seitz	Mr Lim
Mr Carli	Mr Hulls	Mr Sheehan	Mr Savage

And so it was resolved in the affirmative.

- 12 **MOTOR CAR TRADERS (AMENDMENT) BILL** - Pursuant to section 85 of the *Constitution Act 1975*, Mrs Wade made a statement of the reasons for altering or varying that section by the insertion of a new clause into the Motor Car Traders (Amendment) Bill that she intends to propose in Committee.
- 13 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 14 **FIREARMS BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to section 85 of the *Constitution Act 1975*, Mr McGrath (*Wimmera*), by leave, made a statement of the reasons for further altering or varying that section by the insertion of amendments to clause 190 into the Firearms Bill that he intends to propose in Committee.
- Pursuant to Sessional Orders, Mr McGrath (*Wimmera*) announced that it was proposed to move amendments in Committee 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 Smith, Glen Waverley*) - put and agreed to.
- Ordered - That the debate be adjourned until later this day.
- 15 **COMMONWEALTH POWERS (INDUSTRIAL RELATIONS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Kennett*).
- Mr Kennett made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
- Motion made and question proposed - That the debate be adjourned until Thursday next (*Mr Kennett*).
- Amendment proposed - That the word "next" be omitted with the view of inserting in place thereof the expression "5 December 1996" (*Mr Bracks*) - and, after debate -
- Question - That the word proposed to be omitted stand part of the question - put.

The House divided.

AYES, 51

Mr Andrighetto	Mr Jenkins	Mr Paterson	Mr Spry
Mr Ashley	Mr John	Mr Perrin	Mr Steggall
Mr Brown	Mr Kennett	Mr Perton	Mr Stockdale
Ms Burke	Mr Kilgour	Mr Pescott	Mrs Tehan
Mr Clark	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Coleman	Mr Lupton	Mr Phillips	Mr Traynor
Mr Cooper	Mr McArthur	Mr Plowman	Mr Treasure
Dr Dean	Mrs McGill	(Benambra)	Mr Wells
Mr Dixon	Mr McGrath	Mr Richardson	Mrs Wade
Mr Doyle	(Wimmera)	Mr Rowe	Mr Wells
Mr Elder	Mr McLellan	Mr Ryan	
Mr Finn	(Frankston East)	Mr Smith	
Mr Gude	Mr McNamara	(Glen Waverley)	Tellers
Mrs Henderson	Mr Maughan	Mr Smith	Mr Lean
Mr Jasper	Dr Napthine	(Polwarth)	Ms McCall

NOES, 29

Mr Andrianopoulos	Mr Cole	Mr Langdon	Mr Seitz
Mr Baker	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Lim	Mrs Wilson
Mr Bracks	Ms Garbutt	Mr Loney	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mr Cameron	Mr Hamilton	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Ms Gillett
Mr Carli	Ms Kosky	Mr Savage	Mrs Maddigan

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday next.

- 16 FIREARMS BILL - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (Mr McGrath, Wimmera) - put and agreed to.

Debate continued on question - That this Bill be now read a second time.

Question - put.

Mr Savage having informed the Speaker that he wished his dissent to be recorded and, there not being two tellers for the Noes, Mr Speaker declared that the question was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be committed on the next day of sitting.

- 17 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:  
 Land (Revocation of Reservations) Bill  
 Port Services and Marine (Amendment) Bill.
- 18 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr McGrath, Wimmera*) - put and agreed to.
- 19 **ADJOURNMENT** - Motion made and question proposed - That the House do now adjourn (*Mr McGrath, Wimmera*) - and, after debate -  
 And the House having continued to sit till after 12 midnight -  
 WEDNESDAY, 20 NOVEMBER 1996
- Question - put and agreed to.  
 And the House, at 12.17 a.m., adjourned until later this day.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 31 - Wednesday, 20 November 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PAPER** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:  
 Intellectually Disabled Persons' Services Act 1986 - Report of the Community Visitors for the year 1995-96.
- 3 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Crimes (Female Genital Mutilation) Bill without amendment.
- 4 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the University Acts (Amendment) Bill with an amendment.  
 Ordered - That the said amendment be printed and taken into consideration later this day.
- 5 **GRIEVANCES** - Question - That grievances be noted - put, after debate, and agreed to.
- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 7 **NATIONAL PARKS (AMENDMENT) BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "to amend the *National Parks Act 1975*, to create a reserve under the *Crown Land (Reserves) Act 1978*, to amend the *National Parks (Alpine National Park) Act 1989* and for

*other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 8 **RAIL CORPORATIONS BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put.

The House divided.

AYES, 30

Mr Andrianopoulos	Mr Cunningham	Mr Loney	Mrs Wilson
Mr Baker	Mr Dollis	Mrs Maddigan	
Mr Batchelor	Ms Garbutt	Mr Micallef	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mr Brumby	Mr Hamilton	Mr Pandazopoulos	
Mr Cameron	Mr Hulls	Mr Savage	
Mrs Campbell	Ms Kosky	Mr Seitz	<i>Tellers</i>
Mr Carli	Mr Langdon	Mr Sheehan	Ms Gillett
Mr Cole	Mr Leighton	Mr Thwaites	Mr Lim

NOES, 55

Mr Andrighetto	Mr John	Dr Napthine	Mr Thompson
Mr Ashley	Mr Kennett	Mr Paterson	Mr Traynor
Mr Brown	Mr Kilgour	Mr Perrin	Mr Treasure
Ms Burke	Mr Leigh	Mr Perton	Mrs Wade
Mr Clark	Mr Lupton	Mr Pescott	Mr Wells
Mr Coleman	Mr McArthur	Mrs Peulich	
Mr Cooper	Ms McCall	Mr Phillips	
Dr Dean	Mrs McGill	Mr Plowman	
Mr Dixon	Mr McGrath	( <i>Benambra</i> )	
Mr Doyle	( <i>Warrnambool</i> )	Mr Reynolds	
Mr Elder	Mr McGrath	Mr Richardson	
Mrs Elliott	( <i>Wimmera</i> )	Mr Ryan	
Mr Finn	Mr McLellan	Mr Smith	
Mr Gude	( <i>Frankston East</i> )	( <i>Polwarth</i> )	
Mrs Henderson	Mr McNamara	Mr Spry	
Mr Honeywood	Mr Maclellan	Mr Steggall	<i>Tellers</i>
Mr Jasper	( <i>Pakenham</i> )	Mr Stockdale	Mr Lean
Mr Jenkins	Mr Maughan	Mrs Tehan	Mr Rowe

And so it passed in the negative.

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

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 9 **FRIENDLY SOCIETIES (VICTORIA) BILL** - 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 Gude*) - put.

The House divided.

AYES, 53

Mr Andrighetto	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Ashley	Mr Lean	Mr Pescott	Mr Thompson
Mr Brown	Mr Leigh	Mrs Peulich	Mr Traynor
Mr Clark	Mr Lupton	Mr Phillips	Mr Treasure
Mr Coleman	Mr McArthur	Mr Plowman	Mrs Wade
Mr Cooper	Ms McCall	(Benambra)	Mr Wells
Dr Dean	Mrs McGill	Mr Reynolds	
Mr Doyle	Mr McGrath	Mr Richardson	
Mr Elder	(Wimmera)	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	(Frankston East)	Mr Savage	
Mr Gude	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(Glen Waverley)	
Mr Honeywood	(Pakenham)	Mr Smith	
Mr Jasper	Mr Maughan	(Polwarth)	Tellers
Mr Jenkins	Mr Paterson	Mr Spry	Ms Burke
Mr John	Mr Perrin	Mr Stockdale	Mr Dixon

NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mrs Wilson
Mr Baker	Mr Dollis	Mr Lim	
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Pandazopoulos	
Mrs Campbell	Mr Hulls	Mr Seitz	Tellers
Mr Carli	Ms Kosky	Mr Sheehan	Mr Cameron
Mr Cole	Mr Langdon	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

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

- 10 **MOTOR CAR TRADERS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

The House divided.

\*AYES, 25

Mr Andrianopoulos	Mr Dollis	Mr Leighton	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Batchelor	Ms Gillett	Mr Micallef	
Mr Bracks	Mr Haermeyer	Mr Pandazopoulos	
Mr Cameron	Mr Hulls	Mr Savage	Tellers
Mr Carli	Ms Kosky	Mr Seitz	Mr Lim
Mr Cole	Mr Langdon	Mr Sheehan	Mrs Campbell

\* Division corrected by direction of Mr Speaker. See Votes and Proceedings, Thursday, 21 November 1996 p. 176.

NOES, 51

Mr Andrighetto	Mr Jasper	Dr Napthine	Mr Spry
Mr Ashley	Mr Jenkins	Mr Paterson	Mr Stockdale
Mr Brown	Mr John	Mr Perrin	Mr Thompson
Ms Burke	Mr Kilgour	Mr Perton	Mr Traynor
Mr Clark	Mr Leigh	Mr Pescott	Mr Treasure
Mr Coleman	Mr Lupton	Mrs Peulich	Mrs Wade
Mr Cooper	Mr McArthur	Mr Plowman	Mr Wells
Dr Dean	Ms McCall	(Benambra)	
Mr Dixon	Mrs McGill	Mr Reynolds	
Mr Doyle	Mr McGrath	Mr Richardson	
Mr Elder	(Wimmera)	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	(Frankston East)	Mr Smith	
Mr Gude	Mr Maclellan	(Glen Waverley)	Tellers
Mrs Henderson	(Pakenham)	Mr Smith	Mr Lean
Mr Honeywood	Mr Maughan	(Polwarth)	Mr Phillips

And so it passed in the negative.

Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

Pursuant to Sessional Orders, Mr Pandazopoulos announced that it was proposed to move amendments in Committee 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 10.00 p.m.  
pursuant to Sessional Orders.*

- 11 **ADJOURNMENT** - Mr Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.56 p.m.

PHILIP J MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## No. 32 - Thursday, 21 November 1996

- Mr Speaker took the Chair and read the Prayer.
- PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
  - Mount Stirling** - Seeking that Mount Stirling be protected from mechanical gondola, ski lifts and associated infrastructure and that it be preserved for all time, bearing 318 signatures (by Mrs Elliott)

**Traffic Lights - Milleara Road and The Crossway, East Keilor** - Seeking that the Government urgently provide traffic lights at the corner of Milleara Road and The Crossway, East Keilor, bearing 380 signatures (*by Mr Hulls*).

Severally ordered to lie on the Table.

- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Auditor-General - Special Report No. 46 - Public Housing: Responding to a fundamental community need and Law Enforcement Assistance Program: Better information on crime - Ordered to be printed
  - Water Industry Superannuation Fund - Report for the year 1995-96, together with an explanation for the delay in tabling
  - Youth Parole Board and Youth Residential Board - Report for the year 1995-96.
- 4 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Small Business Victoria (Repeal) Bill
  - Electricity Industry (Further Amendment) Bill
  - Education (Amendment) Bill
  - Births, Deaths and Marriages Registration Bill.
- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Courts and Tribunals (General Amendment) Bill with amendments.
- Ordered - That the said amendments be printed and taken into consideration later this day.
- 6 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Commonwealth Powers (Industrial Relations) Bill.
- 7 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Victims of Crime Assistance Bill.
- 8 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 3 December 1996 (*Mr Gude*) - put and agreed to.
- 9 **ERROR IN DIVISION LIST** - Mr Speaker informed the House that, in the division which took place in the House on Wednesday, 20 November 1996, on the Motor Car Traders (Amendment) Bill, the Tellers for the "Ayes" inadvertently recorded the name of the Honourable Member for Essendon, Mrs Maddigan, instead of that of the Honourable Member for Pascoe Vale, Mrs Campbell. The Clerk has verified with the Tellers for the "Ayes" that Mrs Campbell was present. The Honourable Member for Essendon, Mrs Maddigan, was not present in the House.
- Mr Speaker then directed the Clerk to correct the Division List accordingly.
- 10 **VICTIMS OF CRIME ASSISTANCE BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move amendments in Committee 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 Rowe*) - put and agreed to.

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

- 11 **OPTOMETRISTS REGISTRATION BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Dr Napthine announced that it was proposed to move amendments in Committee 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 place thereof the words "this Bill be withdrawn and redrafted to provide that the course of study which qualifies an optometrist to supply certain drugs be approved by the Minister" (*Mr Thwaites*)

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

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

- 12 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 3 be postponed until later this day.

- 13 **MENTAL HEALTH (INTERSTATE PROVISIONS) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 **STOCK (SELLER LIABILITY AND DECLARATIONS) (AMENDMENT) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 15 **CHILDREN'S SERVICES BILL** - Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and agreed to by the House.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 16 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 17 **COMMONWEALTH POWERS (INDUSTRIAL RELATIONS) BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to ensure that all Victorian employees not covered by federal awards or certified agreements have a statutory entitlement to the minimum standards of employment provided for through the "no

disadvantage test" for the making of Australian Workplace Agreements"(Mr Bracks) - and, after debate -

*Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 19 November 1996 had expired.*

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

The House divided.

AYES, 52

Mr Andrighetto	Mr Leigh	Mr Perrin	Mrs Tehan
Mr Ashley	Mr Lupton	Mr Perton	Mr Thompson
Mr Brown	Mr McArthur	Mr Pescott	Mr Traynor
Ms Burke	Ms McCall	Mrs Peulich	Mr Treasure
Mr Clark	Mrs McGill	Mr Plowman	Mrs Wade
Mr Coleman	Mr McGrath	(Benambra)	Mr Wells
Mr Cooper	(Warrnambool)	Mr Richardson	
Mr Dixon	Mr McGrath	Mr Rowe	
Mr Doyle	(Wimmera)	Mr Ryan	
Mrs Elliott	Mr McLellan	Mr Savage	
Mr Finn	(Frankston East)	Mrs Shardey	
Mr Gude	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maclellan	(Glen Waverley)	
Mr Jasper	(Pakenham)	Mr Smith	
Mr Jenkins	Mr Maughan	(Polwarth)	Tellers
Mr John	Dr Napthine	Mr Spry	Mr Lean
Mr Kilgour	Mr Paterson	Mr Steggall	Mr Phillips

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Mr Dollis	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Mr Haermeyer	Mr Micallef	
Mr Brumby	Mr Hamilton	Mr Mildenhall	
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Tellers
Mr Carli	Ms Kosky	Mr Seitz	Mr Cameron
Mr Cole	Mr Langdon	Mr Sheehan	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Bill read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

18 **VICTIMS OF CRIME ASSISTANCE BILL** - Order read for resuming debate on question - That this Bill be now read a second time - put.

The House divided.

AYES, 52

Mr Ashley	Mr Leigh	Mr Perrin	Mrs Tehan
Mr Brown	Mr Lupton	Mr Perton	Mr Thompson
Ms Burke	Mr McArthur	Mr Pescott	Mr Traynor
Mr Clark	Ms McCall	Mrs Peulich	Mr Treasure
Mr Coleman	Mrs McGill	Mr Phillips	Mrs Wade
Mr Cooper	Mr McGrath	Mr Plowman	Mr Wells
Mr Dixon	(Warrnambool)	(Benambra)	
Mr Elder	Mr McGrath	Mr Richardson	
Mrs Elliott	(Wimmera)	Mr Rowe	
Mr Finn	Mr McLellan	Mr Ryan	
Mr Gude	(Frankston East)	Mrs Shardey	
Mr Honeywood	Mr McNamara	Mr Smith	
Mr Jasper	Mr Maclellan	(Glen Waverley)	
Mr Jenkins	(Pakenham)	Mr Smith	
Mr John	Mr Maughan	(Polwarth)	Tellers
Mr Kilgour	Dr Napthine	Mr Spry	Mr Andrighetto
Mr Lean	Mr Paterson	Mr Steggall	Mr Doyle

NOES, 29

Mr Andrianopoulos	Mr Cunningham	Mr Lim	Mr Sheehan
Mr Baker	Mr Dollis	Mr Loney	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mrs Maddigan	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mr Micallef	
Mr Brumby	Mr Hamilton	Mr Mildenhall	
Mr Cameron	Mr Hulls	Mr Pandazopoulos	Tellers
Mr Carli	Ms Kosky	Mr Savage	Mrs Campbell
Mr Cole	Mr Leighton	Mr Seitz	Mr Langdon

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Question - That Government amendments Nos. 1 to 5 inclusive be agreed to - put.

The House divided.

AYES, 50

Mr Andrighetto	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Brown	Mr Lean	Mr Pescott	Mr Thompson
Ms Burke	Mr Leigh	Mrs Peulich	Mr Traynor
Mr Clark	Mr McArthur	Mr Phillips	Mr Treasure
Mr Coleman	Ms McCall	Mr Plowman	Mrs Wade
Mr Cooper	Mrs McGill	(Benambra)	Mr Wells
Mr Dixon	Mr McGrath	Mr Richardson	
Mr Doyle	(Warrnambool)	Mr Rowe	
Mr Elder	Mr McGrath	Mr Ryan	
Mrs Elliott	(Wimmera)	Mrs Shardey	
Mr Finn	Mr McLellan	Mr Smith	
Mr Gude	(Frankston East)	(Glen Waverley)	
Mr Honeywood	Mr Maughan	Mr Smith	
Mr Jasper	Dr Napthine	(Polwarth)	Tellers
Mr Jenkins	Mr Paterson	Mr Spry	Mr Ashley
Mr John	Mr Perrin	Mr Steggall	Mr Lupton

NOES, 29

Mr Andrianopoulos	Mr Cole	Mr Leighton	Mr Sheehan
Mr Baker	Mr Cunningham	Mr Loney	Mr Thwaites
Mr Batchelor	Mr Dollis	Mrs Maddigan	Mrs Wilson
Mr Bracks	Ms Garbutt	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	
Mr Cameron	Mr Hamilton	Mr Pandazopoulos	Tellers
Mrs Campbell	Mr Hulls	Mr Savage	Ms Kosky
Mr Carli	Mr Langdon	Mr Seitz	Mr Lim

And so it was resolved in the affirmative.

Question - That this Bill be now read a third time - put.

The House divided.

AYES, 50

Mr Andrighetto	Mr Jenkins	Mr Maughan	Mr Smith
Mr Ashley	Mr John	Dr Napthine	(Polwarth)
Mr Brown	Mr Kilgour	Mr Paterson	Mr Spry
Ms Burke	Mr Lean	Mr Perrin	Mr Steggall
Mr Clark	Mr Leigh	Mr Perton	Mrs Tehan
Mr Coleman	Mr Lupton	Mr Pescott	Mr Traynor
Mr Cooper	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Dixon	Ms McCall	Mr Phillips	Mrs Wade
Mr Doyle	Mrs McGill	Mr Plowman	Mr Wells
Mr Elder	Mr McGrath	(Benambra)	
Mrs Elliott	(Warrnambool)	Mr Richardson	
Mr Finn	Mr McGrath	Mr Rowe	
Mr Gude	(Wimmera)	Mrs Shardey	Tellers
Mr Honeywood	Mr McLellan	Mr Smith	Mr Ryan
Mr Jasper	(Frankston East)	(Glen Waverley)	Mr Thompson

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Lim	Mr Sheehan
Mr Baker	Mr Dollis	Mr Loney	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mr Cameron	Mr Hamilton	Mr Mildenhall	
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Ms Kosky	Mr Savage	Mr Leighton
Mr Cole	Mr Langdon	Mr Seitz	Mrs Wilson

And so it was resolved in the affirmative.

Bill read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Question - That the Bill be transmitted to the Legislative Council and their concurrence desired therein - put.

The House divided.

AYES, 51

Mr Andrighetto	Mr Kilgour	Mr Perton	Mr Steggall
Mr Ashley	Mr Lean	Mr Pescott	Mrs Tehan
Mr Brown	Mr Leigh	Mrs Peulich	Mr Thompson
Ms Burke	Mr Lupton	Mr Phillips	Mr Traynor
Mr Clark	Mr McArthur	Mr Plowman	Mr Treasure
Mr Coleman	Ms McCall	( <i>Benambra</i> )	Mrs Wade
Mr Cooper	Mrs McGill	Mr Reynolds	Mr Wells
Mr Dixon	Mr McGrath	Mr Richardson	
Mr Doyle	( <i>Warrnambool</i> )	Mr Rowe	
Mr Elder	Mr McGrath	Mr Ryan	
Mrs Elliott	( <i>Wimmera</i> )	Mrs Shardey	
Mr Gude	Mr McLellan	Mr Smith	
Mr Honeywood	( <i>Frankston East</i> )	( <i>Glen Waverley</i> )	
Mr Jasper	Mr Maughan	Mr Smith	<i>Tellers</i>
Mr Jenkins	Dr Napthine	( <i>Polwarth</i> )	Mr Finn
Mr John	Mr Perrin	Mr Spry	Mr Paterson

NOES, 29

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Sheehan
Mr Baker	Mr Dollis	Mr Lim	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mrs Maddigan	
Mr Brumby	Mr Hamilton	Mr Micallef	
Mr Cameron	Mr Hulls	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Ms Kosky	Mr Pandazopoulos	Mr Carli
Mr Cole	Mr Langdon	Mr Seitz	Mr Savage

And so it was resolved in the affirmative.

- 19 **OPTOMETRISTS REGISTRATION BILL** - 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 place thereof the words "this Bill be withdrawn and

redrafted to provide that the course of study which qualifies an optometrist to supply certain drugs be approved by the Minister."

Question - That the words proposed to be omitted stand part of the question - put  
The House divided.

AYES, 52

Mr Andrighetto	Mr Kilgour	Mr Perrin	Mr Spry
Mr Ashley	Mr Lean	Mr Perton	Mr Steggall
Mr Brown	Mr Leigh	Mr Pescott	Mr Stockdale
Ms Burke	Mr Lupton	Mrs Peulich	Mrs Tehan
Mr Clark	Mr McArthur	Mr Phillips	Mr Thompson
Mr Coleman	Ms McCall	Mr Plowman	Mr Traynor
Mr Cooper	Mr McGrath	(Benambra)	Mr Treasure
Mr Dixon	(Warrnambool)	Mr Reynolds	Mrs Wade
Mr Doyle	Mr McGrath	Mr Richardson	
Mr Elder	(Wimmera)	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	(Frankston East)	Mrs Shardey	
Mr Honeywood	Mr McNamara	Mr Smith	
Mr Jasper	Mr Maughan	(Glen Waverley)	Tellers
Mr Jenkins	Dr Napthine	Mr Smith	Mrs McGill
Mr John	Mr Paterson	(Polwarth)	Mr Wells

NOES, 29

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Sheehan
Mr Baker	Mr Dollis	Mr Lim	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mr Micallef	
Mr Brumby	Mr Hamilton	Mr Mildenhall	
Mr Cameron	Mr Hulls	Mr Pandazopoulos	Tellers
Mrs Campbell	Ms Kosky	Mr Savage	Mr Carli
Mr Cole	Mr Langdon	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Government amendments Nos. 1 and 2 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.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

20 **FIREARMS BILLS** - Government amendments Nos. 1 to 61 inclusive 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.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

21 **MOTOR CAR TRADERS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time - put.

The House divided.

AYES, 53

Mr Andrighetto	Mr Lean	Mr Perrin	Mr Spry
Mr Ashley	Mr Leigh	Mr Pertont	Mr Steggall
Mr Brown	Mr Lupton	Mr Pescott	Mr Stockdale
Mr Clark	Mr McArthur	Mr Phillips	Mrs Tehan
Mr Coleman	Ms McCall	Mr Plowman	Mr Thompson
Mr Cooper	Mrs McGill	(Benambra)	Mr Traynor
Mr Dixon	Mr McGrath	Mr Reynolds	Mr Treasure
Mr Doyle	(Warrnambool)	Mr Richardson	Mrs Wade
Mr Elder	Mr McGrath	Mr Rowe	Mr Wells
Mrs Elliott	(Wimmera)	Mr Ryan	
Mr Finn	Mr McLellan	Mr Savage	
Mr Honeywood	(Frankston East)	Mrs Shardey	
Mr Jasper	Mr McNamara	Mr Smith	
Mr Jenkins	Mr Maughan	(Glen Waverley)	Tellers
Mr John	Dr Napthine	Mr Smith	Ms Burke
Mr Kilgour	Mr Paterson	(Polwarth)	Mrs Peulich

NOES, 26

Mr Andrianopoulos	Mr Dollis	Mr Lim	Mr Sheehan
Mr Baker	Ms Garbutt	Mr Loney	Mr Thwaites
Mr Batchelor	Mr Haermeyer	Mrs Maddigan	Mrs Wilson
Mr Bracks	Mr Hulls	Mr Micallef	
Mr Brumby	Ms Kosky	Mr Mildenhall	Tellers
Mr Carli	Mr Langdon	Mr Pandazopoulos	Mr Cameron
Mr Cunningham	Mr Leighton	Mr Seitz	Mrs Campbell

And so it was resolved in the affirmative.

Bill read a second time.

Government amendments Nos. 1 to 6 inclusive agreed to.

*Mr Speaker, having announced that in his opinion the nature of the amendments adopted by the House alter the provisions of the Bill so as to classify the Bill as requiring the second reading to be passed with an absolute majority of the whole number of the Members of the Legislative Assembly and as the required statement of intention had been made pursuant to section 85(5)(c) of the Constitution Act 1975, re-submitted that question to the House -*

Bill, as amended, read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Bill read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

22 **FRIENDLY SOCIETIES (VICTORIA) BILL** - 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 and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 23 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 10 to 12 inclusive, be postponed until later this day.
- 24 **NATIONAL PARKS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 5 December 1996.
- 25 **FIREARMS BILL - CLERK'S CORRECTION** - Mr Speaker announced that he had received a report from the Clerk that he had made the following correction in this Bill.
- In the heading to Schedule 3 on page 143, he had deleted "licences" and inserted "licence".
- 26 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question proposed - That the consideration of remaining business be postponed (*Mrs Tehan*).
- Amendment proposed - That all words after "that" be omitted with a view of inserting in place thereof the expression "Government Business, Orders of the Day, Nos. 10 to 12 and General Business, Notices of Motion, Nos. 1 to 14 inclusive be postponed" (*Mr Brumby*) - and, after debate -
- Motion made and question - That the question be now put (*Mr Smith, Glen Waverley*) - put.
- The House divided.

## AYES, 51

Mr Andrighetto	Mr Lean	Mr Perrin	Mr Steggall
Mr Ashley	Mr Leigh	Mr Perton	Mr Stockdale
Mr Brown	Mr Lupton	Mr Pescott	Mrs Tehan
Ms Burke	Mrs McGill	Mrs Peulich	Mr Thompson
Mr Clark	Mr McGrath	Mr Phillips	Mr Traynor
Mr Coleman	( <i>Warrnambool</i> )	Mr Plowman	Mr Treasure
Mr Cooper	Mr McGrath	( <i>Benambra</i> )	Mrs Wade
Mr Dixon	( <i>Wimmera</i> )	Mr Reynolds	Mr Wells
Mr Doyle	Mr McLellan	Mr Richardson	
Mr Elder	( <i>Frankston East</i> )	Mr Rowe	
Mrs Elliott	Mr McNamara	Mr Ryan	
Mr Finn	Mr Maclellan	Mr Smith	
Mr Jasper	( <i>Pakenham</i> )	( <i>Glen Waverley</i> )	
Mr Jenkins	Mr Maughan	Mr Smith	<i>Tellers</i>
Mr John	Dr Napthine	( <i>Polwarth</i> )	Ms McCall
Mr Kilgour	Mr Paterson	Mr Spry	Mrs Shardey

## NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mr Loney	Mrs Wilson
Mr Baker	Mr Dollis	Mrs Maddigan	
Mr Batchelor	Ms Garbutt	Mr Micallef	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mr Brumby	Mr Hamilton	Mr Pandazopoulos	
Mr Cameron	Mr Hulls	Mr Seitz	<i>Tellers</i>
Mrs Campbell	Ms Kosky	Mr Sheehan	Mr Langdon
Mr Carli	Mr Leighton	Mr Thwaites	Mr Lim

And so it was resolved in the affirmative.

Question - That the expression proposed to be omitted stand part of the question - accordingly put.

The House divided.

AYES, 51

Mr Andrighetto	Mr Lean	Mr Perrin	Mr Steggall
Mr Ashley	Mr Leigh	Mr Perton	Mr Stockdale
Mr Brown	Mr Lupton	Mr Pescott	Mrs Tehan
Ms Burke	Mrs McGill	Mrs Peulich	Mr Thompson
Mr Clark	Mr McGrath	Mr Phillips	Mr Traynor
Mr Coleman	(Warrnambool)	Mr Plowman	Mr Treasure
Mr Cooper	Mr McGrath	(Benambra)	Mrs Wade
Mr Dixon	(Wimmera)	Mr Reynolds	Mr Wells
Mr Doyle	Mr McLellan	Mr Richardson	
Mr Elder	(Frankston East)	Mr Rowe	
Mrs Elliott	Mr McNamara	Mr Ryan	
Mr Finn	Mr Maclellan	Mr Smith	
Mr Jasper	(Pakenham)	(Glen Waverley)	
Mr Jenkins	Mr Maughan	Mr Smith	Tellers
Mr John	Dr Napthine	(Polwarth)	Ms McCall
Mr Kilgour	Mr Paterson	Mr Spry	Mrs Shardey

NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mr Loney	Mrs Wilson
Mr Baker	Mr Dollis	Mrs Maddigan	
Mr Batchelor	Ms Garbutt	Mr Micallef	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mr Brumby	Mr Hamilton	Mr Pandazopoulos	
Mr Cameron	Mr Hulls	Mr Seitz	Tellers
Mrs Campbell	Ms Kosky	Mr Sheehan	Mr Langdon
Mr Carli	Mr Leighton	Mr Thwaites	Mr Lim

And so it was resolved in the affirmative.

Original question put and agreed to.

27 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.

And the House, at 7.00 p.m., adjourned until Tuesday, 3 December 1996.

PHILIP J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS

### Nos. 33, 34, 35 and 36

### No. 33 - Tuesday, 3 December 1996

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
  - Graham Street Primary School, Port Melbourne** - Seeking that the Department of Education fully fund the Graham Street Primary School, Port Melbourne, in order to continue as a vibrant school serving its community and to maintain its excellent program and curriculum, bearing 2,389 signatures (*by Mr Thwaites*)
  - Fairfield Station** - Seeking that the Public Transport Commission and the Minister for Transport commit sufficient funds and commit to an early start date to upgrade the Fairfield Station buildings and surrounds in a manner reflecting its architectural and historical significance, bearing 250 signatures (*by Mr Sheehan*).

Severally ordered to lie on the Table.
- 4 **RESPONSE TO AUDITOR-GENERAL'S REPORTS** - Motion made, by leave, and question - That there be presented to this House a copy of the Response by the Minister for Finance to the Auditor-General's Report on Ministerial Portfolios (May 1996), the Auditor-General's Report on the Statement of Financial Operations of November 1995 and Special Reports (July 1995 to June 1996) (*Mr Stockdale*) - put and agreed to.
- 5 **PAPER** - Mr Stockdale presented:
  - Response by the Minister for Finance to the Auditor-General's Report on Ministerial Portfolios (May 1996), the Auditor-General's Report on the Statement of Financial Operations of November 1995 and Special Reports (July 1995 to June 1996) - Return to the foregoing Order.

Ordered to lie on the Table.
- 6 **ECONOMIC DEVELOPMENT COMMITTEE** - Mr Batchelor, brought up an Interim Report from the Economic Development Committee upon the Inquiry into Medical and Public Health Research in Victoria, together with Appendices and Minutes of Evidence.
 

Ordered to lie on the Table and the Report and Appendices to be printed.
- 7 **ROAD SAFETY COMMITTEE** - Mr Richardson, Chairman, brought up a Report from the Road Safety Committee upon its Inquiry into the Effects of Drugs (Other than Alcohol) on Road Safety in Victoria together with Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendices to be printed.

**8 SCRUTINY OF ACTS AND REGULATIONS COMMITTEE - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 10 of 1996 on the -**

Arts Institutions (Amendment) Bill  
 Accident Compensation (Further Amendment) Bill  
 Queen Victoria Market Lands Bill  
 Parliament House Completion Authority (Amendment) Bill  
 Pipelines (Amendment) Bill  
 Land (Further Revocation of Reservations) Bill  
 Cinemedia Corporation Bill  
 Environment Protection (Amendment) Bill  
 Melbourne Convention and Exhibition Trust Bill  
 Casino (Management Agreement) (Amendment) Bill  
 Planning and Environment (Planning Schemes) Bill  
 Magistrates' Court (Amendment) Bill  
 Fisheries (Amendment) Bill  
 Commonwealth Powers (Industrial Relations) Bill  
 Superannuation Acts (Further Amendment) Bill  
 National Parks (Amendment) Bill  
 Chiropractors Registration Bill  
 Osteopaths Registration Bill  
 Health Acts (Further Amendment) Bill  
 Victims of Crime Assistance Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

**9 PAPERS - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:**

Ambulance Service Victoria - Metropolitan Region - Report for the year 1995-96  
 Ambulance Service Victoria - North Eastern Region - Report for the year 1995-96  
 Ambulance Service Victoria - North Western Region - Report for the year 1995-96  
 Ambulance Service Victoria - South Eastern Region - Report for the year 1995-96  
 Ambulance Service Victoria - South Western Region - Report for the year 1995-96  
 Ambulance Service Victoria - Western Region - Report for the year 1995-96  
 Auditor-General - Special Report No. 47 - Vocational education and training: A client perspective - Ordered to be printed  
 Fair Trading and Business Affairs - Report of the Office for the year 1995-96 - Ordered to be printed  
 Film Victoria - Report for the year 1995-96

Financial Management Act 1994 - Notification from the Minister for Health on the failure of the following Public Bodies to submit their 1995-96 annual report and the reasons therefore:

Clunes District Hospital  
North Eastern Health Care Network  
O'Connell Family Centre  
Goulburn Valley Base Hospital

Financial Management Act 1994 - Notification from the Minister for Health advising that he had received the 1995-96 Annual Report of the Ambulance Officers' Training Centre

Harness Racing Board - Report for the year 1995-96

Health Services Act 1988 - Report of the Community Visitors for the year 1995-96 - Ordered to be printed

Judicial Remuneration Tribunal Act 1995 - Statements of reasons from the Attorney-General for not accepting and for varying certain recommendations contained in the report of the Judicial Remuneration Tribunal on Judicial Salary and Allowances

Mental Health Act 1986 - Report of the Community Visitors for the year 1995-96

Mental Health Review Board and Psychosurgery Review Board - Report for the year 1995-96

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

Banyule Planning Scheme - No. L11  
Berwick Planning Scheme - Nos. L103, L108  
Boroondara Planning Scheme - No. L22  
Brighton Planning Scheme - No. L36  
Brimbank Planning Scheme - No. L21  
Cranbourne Planning Scheme - No. L195  
Darebin Planning Scheme - Nos. L16 Part 1, L40  
Flinders Planning Scheme - No. L146  
Glen Eira Planning Scheme - No. L4  
Greater Geelong Planning Scheme - No. R151  
Hume Planning Scheme - No. L22  
Macedon Ranges Planning Scheme - No. L14  
Maroondah Planning Scheme - No. L11  
Melton Planning Scheme - Nos. L56 Part 1, L72  
Metropolitan Region Planning Scheme - No. R130  
Mornington Planning Scheme - No. L60  
Pakenham Planning Scheme - No. L126  
Port Phillip Planning Scheme - No. L32  
Sherbrooke Planning Scheme - No. L105  
Stonnington Planning Scheme - No. L14  
Werribee Planning Scheme - No. L87 Part 1  
Whittlesea Planning Scheme - No. L82 Part 1  
Yallourn Works Area Planning Scheme - No. L4  
Yarra Planning Scheme - No. L13  
Yarra Ranges Planning Scheme - Nos. L4, L10 Part 1, L17, L19

State Film Centre - Report for the year 1995-96

Statutory Rules under the following Acts:

- Alpine Resorts Act 1983 - S.R. No. 121
- Dental Technicians Act 1972 - S.R. No. 126
- Domestic Building Contracts and Tribunal Act 1995 - S.R. No. 122
- Fisheries Act 1968 - S.R. No. 120
- Local Government Act 1989 - S.R. No. 123
- Magistrates' Court Act 1989 - S.R. No. 124
- National Parks Act 1975 - S.R. No. 128
- Physiotherapists Act 1978 - S.R. No. 125
- State Electricity Commission Act 1958 - S.R. No. 111
- Supreme Court Act 1986 - S.R. No. 119
- Veterinary Surgeons Act 1958 - S.R. No. 127

Subordinate Legislation Act 1994 -

- Ministers' exemption certificates in relation to Statutory Rule Nos. 120, 121, 123
- Ministers' exception certificates in relation to Statutory Rule Nos. 119, 124, 125, 126, 128

Tattersall's - Financial Statements for the year 1995-96

Transport Act 1983 - Order for transfer of assets and liabilities pursuant to section 81

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

- Bank of South Australia and Advance Bank Act 1996 - Remaining provisions on 1 December 1996 (*Gazette No. G47, 28 November 1996*)
- Road Safety (Amendment) Act 1996 - Sections 3, 5, 6, 7, 8, 10, 12 and 14 on 21 November 1996 (*Gazette No. G46, 21 November 1996*)
- Shop Trading Reform Act 1996 - Remaining provisions on 26 November 1996 (*Gazette No. G46, 21 November 1996*).

- 10 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

On 26 November 1996

- Births, Deaths and Marriages Registration Bill
- Children and Young Persons (Miscellaneous Amendments) Bill
- Corrections (Amendment) Bill
- Crimes (Female Genital Mutilation) Bill
- Education (Amendment) Bill
- Electricity Industry (Further Amendment) Bill
- Land (Revocation of Reservations) Bill
- North Melbourne Lands Bill
- Port Services and Marine (Amendment) Bill
- Small Business Victoria (Repeal) Bill

On 3 December 1996

- Children's Services Bill.

- 11 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Arts Institutions (Amendment) Bill  
Cinemia Corporation Bill  
Environment Protection (Amendment) Bill  
Fisheries (Amendment) Bill  
Land (Further Revocation of Reservations) Bill  
Magistrates' Court (Amendment) Bill  
Melbourne Convention and Exhibition Trust Bill  
Pipelines (Amendment) Bill  
Planning and Environment (Planning Schemes) Bill  
Queen Victoria Market Lands Bill  
Superannuation Acts (Further Amendment) Bill.

12 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question proposed - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to -

(a) the following Bills:

University Acts (Amendment) Bill  
Arts Institutions (Amendment) Bill  
Accident Compensation (Further Amendment) Bill  
Superannuation Acts (Further Amendment) Bill  
Magistrates' Court (Amendment) Bill  
Planning and Environment (Planning Schemes) Bill  
Parliament House Completion Authority (Amendment) Bill  
Casino (Management Agreement) (Amendment) Bill  
Melbourne Convention and Exhibition Trust Bill  
Pipelines (Amendment) Bill  
Fisheries (Amendment) Bill  
Queen Victoria Market Lands Bill  
Land (Further Revocation of Reservations) Bill  
Environment Protection (Amendment) Bill  
Courts and Tribunals (General Amendment) Bill; and

(b) the Code of Forest Practices for Timber Production and Instrument of Approval - be considered and completed by 4.30 p.m. on Friday, 6 December 1996.

(*Mr Gude*) - after debate, put.

The House divided.

AYES, 55

Mr Ashley	Mr Kennett	Mr Paterson	Mr Spry
Mr Brown	Mr Kilgour	Mr Perrin	Mr Steggall
Ms Burke	Mr Lean	Mr Perton	Mr Stockdale
Mr Clark	Mr Leigh	Mr Pescott	Mrs Tehan
Mr Coleman	Mr Lupton	Mrs Peulich	Mr Thompson
Mr Cooper	Mr McArthur	Mr Phillips	Mr Traynor
Dr Dean	Ms McCall	Mr Plowman	Mr Treasure
Mr Dixon	Mrs McGill	(Benambra)	Mrs Wade
Mr Doyle	Mr McGrath	Mr Reynolds	
Mr Elder	(Warrnambool)	Mr Richardson	
Mrs Elliott	Mr McGrath	Mr Rowe	
Mr Finn	(Wimmera)	Mr Ryan	
Mr Gude	Mr McLellan	Mrs Shardey	
Mrs Henderson	(Frankston East)	Mr Smith	
Mr Honeywood	Mr McNamara	(Glen Waverley)	Tellers
Mr Jasper	Mr Maughan	Mr Smith	Mr Andrighetto
Mr Jenkins	Dr Napthine	(Polwarth)	Mr Wells

NOES, 29

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Sheehan
Mr Baker	Mr Dollis	Mr Lim	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mrs Maddigan	
Mr Brumby	Mr Hamilton	Mr Micallef	
Mrs Campbell	Mr Hulls	Mr Mildenhall	Tellers
Mr Carli	Ms Kosky	Mr Pandazopoulos	Mr Cameron
Mr Cole	Mr Langdon	Mr Seitz	Mr Savage

And so it was resolved in the affirmative.

- 13 **UNIVERSITY ACTS (AMENDMENT) BILL** - Order read for the consideration of the amendment made by the Legislative Council.

And the said amendment was read a second time and, after debate, agreed to by the House.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendment.

- 14 **ARTS INSTITUTIONS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Pursuant to Sessional Orders, Mrs Henderson announced that it was proposed to move amendments in Committee 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 place thereof the words "this Bill be withdrawn and redrafted to include a commitment to community ownership of Victoria's three cultural institutions and their assets, provision for a proper selection process for board members of the State Library, the State Museum and the National Gallery of Victoria, and the inclusion of checks and balances on direct ministerial intervention in the management of the institutions" (*Mr Brumby*) - and, after debate -

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

The House divided.

AYES, 52

Mr Andrighetto	Mr Kennett	Mr Perton	Mr Stockdale
Mr Ashley	Mr Kilgour	Mr Pescott	Mrs Tehan
Mr Brown	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Clark	Mr Lupton	Mr Phillips	Mr Traynor
Mr Coleman	Mr McArthur	Mr Plowman	Mr Treasure
Mr Cooper	Ms McCall	(Benambra)	Mrs Wade
Dr Dean	Mrs McGill	Mr Richardson	Mr Wells
Mr Dixon	Mr McGrath	Mr Rowe	
Mr Doyle	(Wimmera)	Mr Ryan	
Mr Elder	Mr McLellan	Mrs Shardey	
Mrs Elliott	(Frankston East)	Mr Smith	
Mr Finn	Mr McNamara	(Glen Waverley)	
Mrs Henderson	Mr Maughan	Mr Smith	
Mr Honeywood	Dr Napthine	(Polwarth)	Tellers
Mr Jasper	Mr Paterson	Mr Spry	Ms Burke
Mr Jenkins	Mr Perrin	Mr Steggall	Mr Lean

NOES, 26

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Seitz
Mr Baker	Mr Dollis	Mr Lim	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mrs Maddigan	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mr Micallef	
Mr Brumby	Mr Hamilton	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Mr Cameron
Mr Carli	Ms Kosky	Mr Savage	Ms Gillett

And so it was resolved in the affirmative.

Bill read a second time.

Ordered - That the Bill be committed later this day.

15 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Arts Institutions (Amendment) Bill.

16 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 3 and 4, be postponed until later this day.

17 **SUPERANNUATION ACTS (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Stockdale announced that it was proposed to move amendments in Committee 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 place thereof the words "This House refuses to read this Bill a second time until further consultation occurs with Local Government and Emergency Service employees in relation to the proposed changes to the definition of "retrenchment", which if implemented will have a detrimental impact on the benefits of current employees whose employment is terminated" (Mr Bracks) - and, after debate -

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

The House divided.

AYES, 48

Mr Ashley	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Brown	Mr Leigh	Mr Pescott	Mr Thompson
Mr Clark	Mr Lupton	Mrs Peulich	Mr Traynor
Mr Coleman	Mr McArthur	Mr Phillips	Mr Treasure
Mr Cooper	Ms McCall	Mr Plowman	Mrs Wade
Dr Dean	Mrs McGill	(Benambra)	Mr Wells
Mr Dixon	Mr McGrath	Mr Rowe	
Mr Doyle	(Wimmera)	Mr Ryan	
Mr Elder	Mr McLellan	Mrs Shardey	
Mr Finn	(Frankston East)	Mr Smith	
Mr Gude	Mr McNamara	(Glen Waverley)	
Mrs Henderson	Mr Maughan	Mr Smith	
Mr Jasper	Dr Napthine	(Polwarth)	Tellers
Mr Jenkins	Mr Paterson	Mr Spry	Ms Burke
Mr Kennett	Mr Perrin	Mr Steggall	Mr Lean

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Leighton	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Loney	
Mr Batchelor	Ms Gillett	Mr Micallef	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mr Brumby	Mr Hamilton	Mr Pandazopoulos	
Mr Cameron	Mr Hulls	Mr Savage	Tellers
Mrs Campbell	Ms Kosky	Mr Seitz	Mr Lim
Mr Carli	Mr Langdon	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Lord Mayor's Charitable Fund Bill with an amendment.

Ordered - That the said amendment be printed and taken into consideration later this day.

- 19 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Co-operatives Bill  
Optometrist's Registration Bill.

- 20 **ACCIDENT COMPENSATION (FURTHER AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until adequate consultation with interest groups and affected parties have assessed - (a) the implications of the proposed amendments that affect compensation entitlements to seriously injured workers; and (b) the impact of serial payments in relation to taxation and social security entitlements" (*Mr Micallef*) - and, after debate -

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 21 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.00 p.m.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 34 - Wednesday, 4 December 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
  - Parliament House Completion Authority Act** - Seeking that the proposed amendments to the Parliament House Completion Authority Act to allow sandstone mining in the Grampians National Park be withdrawn, so that the significant environmental and historical assets of the Park continue to be protected in accordance with the provisions and intent of the National Parks Act, bearing 849 signatures (*by Ms Garbutt*)
  - Austin and Repatriation Campuses** - Seeking that the House act to prevent the loss of important health facilities to the community by the closure of the Austin campus of the North Eastern Health Care Network and the deteriorating services and resources at the Austin and Repatriation campuses, bearing 197 signatures (*by Ms Garbutt*)
  - Mount Stirling Management Plans** - Seeking that the Government initiate management plans to enhance Mount Stirling as a diverse all year round recreational area, bearing 87 signatures (*by Ms Garbutt*)
  - Moonee Valley Council Commissioners** - Seeking that the Government respond to the community's demand to refer Moonee Valley Council to the Local Government Board and sack the Commissioners at Moonee Valley as they have acted contrary to State Government policy, bearing 1,157 signatures (*by Mrs Maddigan*)

**Niddrie Quarry site** - Seeking that the Government respond to the community's request to save the lake in the former Niddrie Quarry site, bearing 2,853 signatures (*by Mr Hulls*).

Severally ordered to lie on the Table.

- 3 **PETITION - NIDDRIE QUARRY SITE** - Motion made and question - That the petition presented by the Member for Niddrie relating to the community's request to save the lake in the former Niddrie Quarry site, be taken into consideration tomorrow (*Mr Hulls*) - put and agreed to.

- 4 **DRUGS AND CRIME PREVENTION COMMITTEE** - Mr Rowe, brought up the Final Report from the Drugs and Crime Prevention Committee upon Combating Sexual Assault Against Adult Men and Women together with Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendices to be printed.

- 5 **LAW REFORM COMMITTEE** - Mr Perton, Chairman, brought up Volume 1 of the Final Report from the Law Reform Committee upon Jury Service in Victoria together with Appendices, Extract from the Proceedings of the Committee, Minutes of Evidence and Submissions.

Ordered to lie on the Table and the Report, Appendices and Extract from the Proceedings of the Committee to be printed.

- 6 **ROYAL COMMISSION INTO ABORIGINAL DEATHS IN CUSTODY** - Motion made, by leave, and question - That there be presented to this House a copy of the Royal Commission into Aboriginal Deaths in Custody, Victorian Government 1995-96 Implementation Report (*Mrs Henderson*) - put and agreed to.

- 7 **PAPER** - Mrs Henderson presented:

Royal Commission into Aboriginal Deaths in Custody, Victorian Government 1995-96 Implementation Report - Return to the foregoing Order.

Ordered to lie on the Table.

- 8 **PAPERS** - The following Papers, pursuant to the direction of several Acts of Parliament, were laid upon the Table by the Clerk:

Financial Management Act 1994 - Reports of the Minister for Health advising that he had received the 1995-96 Annual Reports of the -

Advanced Dental Technicians Qualifications Board  
Alexandra and District Ambulance Service  
Dental Technicians Licensing Committee

Legal Profession Practice Act 1958 - Report of the Lay Observer to the Solicitors' Board and the Barristers' Disciplinary Tribunal for the year 1995.

- 9 **ADJOURNMENT MOTION - REVIEW OF THE AUDIT ACT** - Mr Brumby proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

"The unprecedented action of the State Auditor-General in writing to all members of Parliament on 21 November 1996 stating that the Government's review of the Audit Act represents the greatest threat to the independence and very existence of his role

and to the Parliament's right to know, and that any review of the Auditor-General's role should be the sole prerogative of the Parliament."

Mr Speaker having ascertained that twelve members approved of the proposed discussion - Motion made and question - That the House do now adjourn (*Mr Brumby*) - after debate, put. The House divided.

AYES, 29

Mr Andrianopoulos	Mr Cunningham	Mr Lim	Mr Sheehan
Mr Baker	Mr Dollis	Mr Loney	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mrs Maddigan	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mr Micallef	
Mr Brumby	Mr Hulls	Mr Mildenhall	
Mrs Campbell	Ms Kosky	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Mr Langdon	Mr Savage	Mr Cameron
Mr Cole	Mr Leighton	Mr Seitz	Ms Gillett

NOES, 50

Mr Andrighetto	Mr Jasper	Mr Maughan	Mr Steggall
Mr Ashley	Mr Jenkins	Mr Paterson	Mr Stockdale
Mr Brown	Mr Kilgour	Mr Perrin	Mrs Tehan
Ms Burke	Mr Leigh	Mr Perton	Mr Thompson
Mr Clark	Mr Lupton	Mr Pescott	Mr Traynor
Mr Coleman	Mr McArthur	Mr Phillips	Mr Treasure
Mr Cooper	Ms McCall	Mr Reynolds	Mrs Wade
Dr Dean	Mrs McGill	Mr Richardson	Mr Wells
Mr Dixon	Mr McGrath	Mr Rowe	
Mr Doyle	( <i>Wimmera</i> )	Mr Ryan	
Mr Elder	Mr McLellan	Mr Smith	
Mr Finn	( <i>Frankston East</i> )	( <i>Glen Waverley</i> )	
Mr Gude	Mr McNamara	Mr Smith	<i>Tellers</i>
Mrs Henderson	Mr Maclellan	( <i>Polwarth</i> )	Mr Lean
Mr Honeywood	( <i>Pakenham</i> )	Mr Spry	Mrs Shardey

And so it passed in the negative.

*Business having been interrupted at 2.00 p.m. pursuant to Sessional Orders.*

- 10 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 11 **EDUCATION (STANDARDS COUNCIL) BILL** - Mr Gude, after debate, obtained leave with Mr Honeywood, to bring in a Bill "to amend the *Education Act 1958* to make further provision for the Standards Council of the Teaching Profession, to make consequential amendments to the *Teaching Service Act 1981* and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **EDUCATION (TRESPASS) BILL** - Mr Gude obtained leave, with Mr Honeywood, to bring in a Bill "to amend the *Education Act 1958* with respect to trespassing on State schools and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 13 **FISHERIES (FURTHER AMENDMENT) BILL** - Mr McNamara obtained leave, with Mr Kennett, to bring in a Bill "to amend the *Fisheries Act 1995 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **EVIDENCE (AUDIO VISUAL AND AUDIO LINKING) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "to amend the *Evidence Act 1958, the Supreme Court Act 1986, the County Court Act 1958, the Magistrates' Court Act 1989 and the Children and Young Persons Act 1989 with respect to appearance before, or the giving of evidence or making of submissions to, courts by audio visual or audio links and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **MAGISTRATES' COURT (AMENDMENT) BILL** - Motion made and question - That it be an instruction to the Committee that they have power to consider amendments to the Magistrates' Court (Amendment) Bill to deem - (a) any extension of time, payment by instalments or variation of instalment arrangement made before 14 November 1996 by a person authorised to execute a warrant to arrest under section 62 of the *Sentencing Act 1991* or a warrant to seize property issued under section 66 of that Act, to be an order referred in section 55(a), (b), or (c) of that Act; (b) certain warrants issued under, or in accordance with, an order made under section 62 or 66 of that Act to have been lawfully executed; and (c) warrant costs paid before the execution of warrants referred to in paragraph (b), to have been lawfully demanded and recovered (*Mrs Wade*) - put and agreed to.
- 16 **ACCIDENT COMPENSATION (FURTHER AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until adequate consultation with interest groups and affected parties have assessed - (a) the implications of the proposed amendments that affect compensation entitlements to seriously injured workers; and (b) the impact of serial payments in relation to taxation and social security entitlements" - debate resumed.

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

The House divided.

AYES, 53

Mr Ashley	Mr Kilgour	Mr Paterson	Mr Steggall
Mr Brown	Mr Lean	Mr Perrin	Mr Stockdale
Ms Burke	Mr Leigh	Mr Perton	Mrs Tehan
Mr Clark	Mr Lupton	Mr Pescott	Mr Thompson
Mr Coleman	Mr McArthur	Mrs Peulich	Mr Traynor
Mr Cooper	Ms McCall	Mr Phillips	Mr Treasure
Dr Dean	Mrs McGill	Mr Reynolds	Mrs Wade
Mr Doyle	Mr McGrath	Mr Richardson	Mr Wells
Mr Elder	( <i>Wimmera</i> )	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	( <i>Frankston East</i> )	Mrs Shardey	
Mr Gude	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	( <i>Glen Waverley</i> )	
Mr Honeywood	( <i>Pakenham</i> )	Mr Smith	<i>Tellers</i>
Mr Jasper	Mr Maughan	( <i>Polwarth</i> )	Mr Andrighetto
Mr Jenkins	Dr Napthine	Mr Spry	Mr Dixon

NOES, 30

Mr Andrianopoulos	Mr Cole	Mr Langdon	Mr Seitz
Mr Baker	Mr Cunningham	Mr Leighton	Mr Sheehan
Mr Batchelor	Mr Dollis	Mr Loney	Mr Thwaites
Mr Bracks	Ms Garbutt	Mrs Maddigan	Mrs Wilson
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mr Cameron	Mr Hamilton	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Ms Gillett
Mr Carli	Ms Kosky	Mr Savage	Mr Lim

And so it was resolved in the affirmative.

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

The House divided.

AYES, 53

Mr Andrighetto	Mr Jasper	Dr Napthine	Mr Steggall
Mr Ashley	Mr Jenkins	Mr Paterson	Mr Stockdale
Mr Brown	Mr Kilgour	Mr Perrin	Mrs Tehan
Ms Burke	Mr Leigh	Mr Perton	Mr Thompson
Mr Clark	Mr Lupton	Mr Pescott	Mr Traynor
Mr Coleman	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Cooper	Ms McCall	Mr Phillips	Mrs Wade
Dr Dean	Mrs McGill	Mr Reynolds	Mr Wells
Mr Dixon	Mr McGrath	Mr Richardson	
Mr Doyle	( <i>Wimmera</i> )	Mr Rowe	
Mr Elder	Mr McLellan	Mr Ryan	
Mrs Elliott	( <i>Frankston East</i> )	Mr Smith	
Mr Finn	Mr McNamara	( <i>Glen Waverley</i> )	
Mr Gude	Mr Maclellan	Mr Smith	<i>Tellers</i>
Mrs Henderson	( <i>Pakenham</i> )	( <i>Polwarth</i> )	Mr Lean
Mr Honeywood	Mr Maughan	Mr Spry	Mrs Shardey

NOES, 30

Mr Andrianopoulos	Mr Dollis	Mr Lim	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Loney	
Mr Batchelor	Ms Gillett	Mrs Maddigan	
Mr Bracks	Mr Haermeyer	Mr Micallef	
Mr Brumby	Mr Hamilton	Mr Mildenhall	
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	
Mr Carli	Ms Kosky	Mr Seitz	<i>Tellers</i>
Mr Cole	Mr Langdon	Mr Sheehan	Mr Cameron
Mr Cunningham	Mr Leighton	Mr Thwaites	Mr Savage

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 17 **LORD MAYOR'S CHARITABLE FUND BILL** - Order read for the consideration of the amendment made by the Legislative Council.

And the said amendment was read a second time and agreed to by the House.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendment.

- 18 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Deputy Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Magistrates' Court (Amendment) Bill.

- 19 **MAGISTRATES' COURT (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move amendments in Committee 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 place thereof the words "this House refuses to read this Bill a second time until a proper review is conducted into - (a) the impact of the Bill's effect on all Victorian legal proceedings which may be affected; and (b) the conduct of the Sheriff in the collection of fines and imprisonment of fine defaulters" (*Mr Hulls*) - and, after debate -

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

The House divided.

AYES, 53

Mr Andrighetto	Mr Jasper	Dr Napthine	Mr Smith
Mr Ashley	Mr Jenkins	Mr Paterson	( <i>Polwarth</i> )
Mr Brown	Mr Kennett	Mr Perrin	Mr Spry
Mr Clark	Mr Kilgour	Mr Perton	Mr Stockdale
Mr Coleman	Mr Lean	Mr Pescott	Mrs Tehan
Mr Cooper	Mr Leigh	Mrs Peulich	Mr Thompson
Dr Dean	Mr Lupton	Mr Phillips	Mr Traynor
Mr Dixon	Mr McArthur	Mr Reynolds	Mr Treasure
Mr Doyle	Mrs McGill	Mr Richardson	Mrs Wade
Mr Elder	Mr McGrath	Mr Rowe	Mr Wells
Mrs Elliott	( <i>Wimmera</i> )	Mr Ryan	
Mr Finn	Mr McLellan	Mr Savage	
Mr Gude	( <i>Frankston East</i> )	Mrs Shardey	<i>Tellers</i>
Mrs Henderson	Mr McNamara	Mr Smith	Ms Burke
Mr Honeywood	Mr Maughan	( <i>Glen Waverley</i> )	Ms McCall

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Langdon	Mr Thwaites
Mr Baker	Mr Dollis	Mr Leighton	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mr Cameron	Mr Hamilton	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Mr Carli
Mr Cole	Ms Kosky	Mr Seitz	Mr Lim

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 20 **PARLIAMENT HOUSE COMPLETION AUTHORITY (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

The House divided.

AYES, 48

Mr Ashley	Mr Jenkins	Mr Maughan	Mr Smith
Mr Brown	Mr Kennett	Dr Napthine	(Polwarth)
Mr Clark	Mr Kilgour	Mr Paterson	Mr Spry
Mr Coleman	Mr Lean	Mr Perrin	Mr Thompson
Mr Cooper	Mr Leigh	Mr Perton	Mr Traynor
Dr Dean	Mr Lupton	Mrs Peulich	Mr Treasure
Mr Dixon	Mr McArthur	Mr Phillips	Mrs Wade
Mr Doyle	Ms McCall	Mr Reynolds	Mr Wells
Mr Elder	Mrs McGill	Mr Richardson	
Mrs Elliott	Mr McGrath	Mr Rowe	
Mr Finn	(Wimmera)	Mr Ryan	
Mr Gude	Mr McLellan	Mrs Shardey	Tellers
Mrs Henderson	(Frankston East)	Mr Smith	Ms Burke
Mr Honeywood	Mr McNamara	(Glen Waverley)	Mr Savage

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Langdon	Mr Thwaites
Mr Baker	Mr Dollis	Mr Leighton	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Tellers
Mr Carli	Mr Hulls	Mr Pandazopoulos	Mr Cameron
Mr Cole	Ms Kosky	Mr Seitz	Mr Lim

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 21 **CASINO (MANAGEMENT AGREEMENT) (AMENDMENT) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 22 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Chiropractors Registration Bill
  - Osteopaths Registration Bill
  - Witness Protection (Amendment) Bill
  - Mental Health (Interstate Provisions) Bill.
- 23 **PLANNING AND ENVIRONMENT (PLANNING SCHEMES) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr Maclellan (*Pakenham*) announced that it was proposed to move an amendment in Committee 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 place thereof the words "this House refuses to read this Bill a second time until the Government has had further consultation with relevant organisations and the community about the ramifications of the Bill and gone through a formal exhibition and panel process in relation to the Victorian Planning Provisions which form a major part of the proposed planning reforms thereby allowing citizens the opportunity to express their concerns about any detrimental impacts it may have on the future use and development of land in this State" (*Mr Dollis*) - and, after debate -
- Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*
- 24 **ADJOURNMENT** - Mr Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.10 p.m.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 35 - Thursday, 5 December 1996

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **SOLICITORS' GUARANTEE FUND REPORT** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Solicitors' Guarantee Fund for the year 1995-96 (*Mrs Wade*) - put and agreed to.
- 3 **PAPER** - Mrs Wade presented:
- Report of the Solicitors' Guarantee Fund for the year 1995-96 - Return to the foregoing Order.
- Ordered to lie on the Table.

4 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Motion made, by leave, and question - That there be presented to this House a copy of an Issues Paper from the Scrutiny of Acts and Regulations Committee upon Redundant and Unclear Legislation concerning a review of the *Unlawful Assemblies and Processions Act 1958* (Mr Ryan) - put and agreed to.

5 **PAPER** - Mr Ryan presented:

Issues Paper from the Scrutiny of Acts and Regulations Committee upon Redundant and Unclear Legislation concerning a review of the *Unlawful Assemblies and Processions Act 1958* - Return to the foregoing Order.

Ordered to lie on the Table.

6 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee upon Redundant and Unclear Legislation concerning a review of the *Hire-Purchase Act 1959*, together with an Appendix.

Ordered to lie on the Table and to be printed.

7 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Freedom of Information Act 1982 - Report of the Attorney-General on the operation of the Act for the year 1995-96

Members of Parliament (Register of Interests) Act 1978 - Summary of Variations notified between 1 October 1996 and 4 December 1996 - Ordered to be printed.

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Victims of Crime Assistance Bill without amendment.

9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Health Acts (Further Amendment) Bill with an amendment.

Ordered - That the said amendment be printed and, by leave, taken into consideration later this day.

10 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until tomorrow at 10.00 a.m. (Mr McGrath, Wimmera) - put and agreed to.

11 **MELBOURNE CONVENTION AND EXHIBITION TRUST BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until a proper review is conducted into the pecuniary interest provisions governing members of the controlling bodies of all statutory authorities including the proposed Melbourne Convention and Exhibition Trust, with the view of tightening those provisions and making them uniform" (Mr Pandazopoulos) - and, after debate -

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

The House divided.

AYES, 51

Mr Andrighetto	Mr Leigh	Mr Perton	Mr Steggall
Mr Ashley	Mr Lupton	Mr Pescott	Mrs Tehan
Mr Brown	Mr McArthur	Mrs Peulich	Mr Thompson
Mr Clark	Ms McCall	Mr Phillips	Mr Traynor
Mr Coleman	Mrs McGill	Mr Plowman	Mr Treasure
Mr Cooper	Mr McGrath	(Benambra)	Mrs Wade
Dr Dean	(Wimmera)	Mr Reynolds	Mr Wells
Mr Dixon	Mr McLellan	Mr Rowe	
Mr Doyle	(Frankston East)	Mr Ryan	
Mr Gude	Mr McNamara	Mr Savage	
Mrs Henderson	Mr Maclellan	Mrs Shardey	
Mr Honeywood	(Pakenham)	Mr Smith	
Mr Jasper	Mr Maughan	(Glen Waverley)	
Mr Jenkins	Dr Naphine	Mr Smith	Tellers
Mr Kilgour	Mr Paterson	(Polwarth)	Ms Burke
Mr Lean	Mr Perrin	Mr Spry	Mr Finn

NOES, 29

Mr Andrianopoulos	Mr Cunningham	Mr Langdon	Mr Sheehan
Mr Baker	Mr Dollis	Mr Lim	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Ms Gillett	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mr Cameron	Mr Hamilton	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Mr Carli
Mr Cole	Ms Kosky	Mr Seitz	Mr Leighton

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 12 **PIPELINES (AMENDMENT) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 13 **FISHERIES (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Loney announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee.

Committee reported progress; to sit again later this day.

*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

14 **QUESTIONS** - (Pursuant to Standing Order No. 124).

15 **FISHERIES (AMENDMENT) BILL** - Further considered in Committee and reported without amendment; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

16 **QUEEN VICTORIA MARKET LANDS BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to provide a guarantee that the land granted to the Melbourne City Council by this Bill must remain in public ownership and can only be disposed of to the Crown after agreement of the Parliament" (*Ms Garbutt*) - and, after debate -

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

The House divided.

AYES, 50

Mr Andrighetto	Mr Kilgour	Mr Perton	Mr Spry
Mr Ashley	Mr Lean	Mr Pescott	Mr Steggall
Mr Brown	Mr Leigh	Mrs Peulich	Mrs Tehan
Mr Clark	Mr Lupton	Mr Phillips	Mr Thompson
Mr Coleman	Mr McArthur	Mr Plowman	Mr Traynor
Mr Cooper	Ms McCall	( <i>Benambra</i> )	Mr Treasure
Dr Dean	Mrs McGill	Mr Reynolds	Mrs Wade
Mr Doyle	Mr McLellan	Mr Richardson	Mr Wells
Mr Elder	( <i>Frankston East</i> )	Mr Rowe	
Mrs Elliott	Mr Maclellan	Mr Ryan	
Mr Finn	( <i>Pakenham</i> )	Mrs Shardey	
Mr Gude	Mr Maughan	Mr Smith	
Mrs Henderson	Dr Napthine	( <i>Glen Waverley</i> )	<i>Tellers</i>
Mr Jasper	Mr Paterson	Mr Smith	Ms Burke
Mr Jenkins	Mr Perrin	( <i>Polwarth</i> )	Mr Dixon

NOES, 30

Mr Andrianopoulos	Mr Dollis	Mr Leighton	Mr Seitz
Mr Baker	Ms Garbutt	Mr Lim	Mr Sheehan
Mr Batchelor	Ms Gillett	Mr Loney	Mr Thwaites
Mr Bracks	Mr Haermeyer	Mrs Maddigan	Mrs Wilson
Mr Brumby	Mr Hamilton	Mr Micallef	
Mrs Campbell	Mr Hulls	Mr Mildenhall	<i>Tellers</i>
Mr Cole	Ms Kosky	Mr Pandazopoulos	Mr Cameron
Mr Cunningham	Mr Langdon	Mr Savage	Mr Carli

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 17 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Motor Car Traders (Amendment) Bill  
 Friendly Societies (Victoria) Bill  
 Miscellaneous Acts (Further Omnibus Amendments) Bill  
 Stock (Seller Liability and Declarations) (Amendment) Bill.

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Commonwealth Powers (Industrial Relations) Bill with amendments.

Ordered - That the said amendments be printed and, by leave, taken into consideration later this day.

- 19 **LAND (FURTHER REVOCATION OF RESERVATIONS) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 20 **COMMONWEALTH POWERS (INDUSTRIAL RELATIONS) BILL** - Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and agreed to by the House.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 21 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 6 to 10 inclusive, be postponed until later this day.

- 22 **EDUCATION (STANDARDS COUNCIL) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).

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

Ordered - That the debate be adjourned until Thursday, 19 December 1996.

- 23 **EDUCATION (TRESPASS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).

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

Ordered - That the debate be adjourned until Thursday, 19 December 1996.

- 24 **FISHERIES (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).

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

Ordered - That the debate be adjourned until Thursday, 19 December 1996.

- 
- 25 **EVIDENCE (AUDIO VISUAL AND AUDIO LINKING) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 19 December 1996.
- 26 **PLANNING AND ENVIRONMENT (PLANNING SCHEMES) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until the Government has had further consultation with relevant organisations and the community about the ramifications of the Bill and gone through a formal exhibition and panel process in relation to the Victorian Planning Provisions which form a major part of the proposed planning reforms thereby allowing citizens the opportunity to express their concerns about any detrimental impacts it may have on the future use and development of land in this State."
- Motion made and question - That the debate be now adjourned (*Ms McCall*) - put and agreed to.
- Ordered - That the debate be adjourned until later this day.
- 27 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Firearms Bill  
Rail Corporations Bill.
- 28 **HEALTH ACTS (FURTHER AMENDMENT) BILL** - Order read for the consideration of the amendment made by the Legislative Council.
- And the said amendment was read a second time and, after debate, agreed to by the House with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
- Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendment.
- Business having been interrupted at 10.02 p.m.  
pursuant to Sessional Orders.*
- 29 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.53 p.m.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 36 - Friday, 6 December 1996

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
  - Therapists - Welfare/Disability Sector** - Seeking that the Government take action to consider the wage claim of therapists in the Welfare/Disability Sector, bearing 233 signatures (*by Mr Thwaites*)
  - Mordialloc Cheltenham Community Hospital** - Seeking that the House not support the proposed amalgamations, service cuts and closure of the Mordialloc Cheltenham Community Hospital, bearing 17 signatures (*by Mr Thwaites*)
  - Voluntary Euthanasia** - Seeking that any bill in favour of voluntary euthanasia be opposed, bearing 601 signatures (*by Mr Clark*)
  - School Mergers** - Seeking that that House - (a) protect the educational, social and community value of small schools; and (b) distribute the funding grants identified under the school merger process on a fair and equitable basis to all public schools, bearing 1,464 signatures (*by Mr Carli*)
  - Bus Shelter - Main Road East, St. Albans** - Seeking that a bus shelter be provided at 80 Main Road East, St. Albans, bearing 10 signatures (*by Mr Seitz*).

Severally ordered to lie on the Table.
- 3 **FARROW GROUP INQUIRY** - Motion made, by leave, and question - That there be presented to this House a copy of the Final Report of D. J. Habersberger, Q.C., on the Farrow Group Inquiry, November 1996 (Four Volumes) (*Mrs Wade*) - put and agreed to.
- 4 **PAPER** - Mrs Wade presented:
  - Final Report of D. J. Habersberger, Q.C., on the Farrow Group Inquiry, November 1996 (Four Volumes) - Return to the foregoing Order.

Ordered to lie on the Table and to be printed.
- 5 **VICTORIA WOMEN'S BUDGET** - Motion made, by leave, and question - That there be presented to this House a copy of the Victoria Women's Budget for the year 1995-96 (*Mrs Wade*) - put and agreed to.
- 6 **PAPER** - Mrs Wade presented:
  - Victoria Women's Budget for the year 1995-96 - Return to the foregoing Order.

Ordered to lie on the Table.
- 7 **HEALTH SERVICES COMMISSIONER REPORTS** - Motion made, by leave, and question - That there be presented to this House copies of the Reports of the Health Services Commissioner for the years 1994-95 and 1995-96 (*Dr Napthine*) - put and agreed to.
- 8 **PAPERS** - Dr Napthine presented:
  - Reports of the Health Services Commissioner for the years 1994-95 and 1995-96 - Return to the foregoing Order.

Ordered to lie on the Table.

9 PAPER - Mr Speaker presented -

BLF (De-recognition) Act 1985 - Thirty-third Report of the Custodian.

Ordered to lie on the Table and to be printed.

- 10 PARLIAMENT HOUSE COMPLETION AUTHORITY (REPEAL) BILL - Mr Gude obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "*to repeal the Parliament House Completion Authority Act 1996 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time on next day of sitting.

- 11 ENVIRONMENT PROTECTION (AMENDMENT) BILL - 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 place thereof the words "this Bill be withdrawn and redrafted to provide for - (a) industrial waste agreements which are non-legal public commitments to be prepared in accordance with Environment Protection Authority guidelines; (b) a landfill levy which provides incentives to reduce waste; (c) clear definition of the membership of the Board of EcoRecycle; and (d) full accountability of the Environment Protection Authority for the spending by the Authority of the land fill levy" (*Ms Garbutt*) - and, after debate -

*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 12 QUESTIONS - (Pursuant to Standing Order No. 124).

- 13 ENVIRONMENT PROTECTION (AMENDMENT) BILL - 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 place thereof the words "this Bill be withdrawn and redrafted to provide for - (a) industrial waste agreements which are non-legal public commitments to be prepared in accordance with Environment Protection Authority guidelines; (b) a landfill levy which provides incentives to reduce waste; (c) clear definition of the membership of the Board of EcoRecycle; and (d) full accountability of the Environment Protection Authority for the spending by the Authority of the land fill levy".

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

The House divided.

AYES, 52

Mr Andrighetto	Mr Jenkins	Dr Naphthine	Mr Steggall
Mr Ashley	Mr Kennett	Mr Paterson	Mr Stockdale
Mr Brown	Mr Kilgour	Mr Perrin	Mrs Tehan
Ms Burke	Mr Lean	Mr Pescott	Mr Thompson
Mr Clark	Mr Leigh	Mr Phillips	Mr Traynor
Mr Coleman	Mr Lupton	Mr Plowman	Mr Treasure
Mr Cooper	Mr McArthur	( <i>Benambra</i> )	Mrs Wade
Dr Dean	Ms McCall	Mr Reynolds	Mr Wells
Mr Dixon	Mrs McGill	Mr Richardson	
Mr Doyle	Mr McGrath	Mr Rowe	
Mr Elder	( <i>Wimmera</i> )	Mr Ryan	
Mrs Elliott	Mr McLellan	Mr Savage	
Mr Finn	( <i>Frankston East</i> )	Mr Smith	
Mr Gude	Mr Maclellan	( <i>Glen Waverley</i> )	<i>Tellers</i>
Mrs Henderson	( <i>Pakenham</i> )	Mr Smith	Mrs Shardey
Mr Jasper	Mr Maughan	( <i>Polwarth</i> )	Mr Spry

## NOES, 29

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Sheehan
Mr Baker	Mr Dollis	Mr Lim	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Ms Gillett	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mr Cameron	Mr Hamilton	Mr Milderhall	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Mr Carli
Mr Cole	Ms Kosky	Mr Seitz	Mr Langdon

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 **COURTS AND TRIBUNALS (GENERAL AMENDMENT) BILL** - Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and agreed to by the House with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 15 **COMMONWEALTH POWERS (INDUSTRIAL RELATIONS) BILL** - Motion made, by leave, and question - That the amendments made by the Legislative Council to the Commonwealth Powers (Industrial Relations) Bill be reconsidered by this House forthwith (*Mr Gude*) - put and agreed to.

Amendments agreed to with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

- 16 **CODE OF FOREST PRACTICES FOR TIMBER PRODUCTION AND INSTRUMENT OF APPROVAL** - Order read for the consideration of the Code.

Motion made and question proposed - That the Instrument of Approval of the Code of Forest Practices for Timber Production, Revision No. 2, November 1996, approved by the Minister for Conservation and Land Management on 15 November 1996, be ratified (*Mrs Tehan*).

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House not ratify Ministerial approval of Code of Forest Practices for Timber Production, Revision No. 2 until that revision of Code of Forest Practices contains all the provisions as proposed by the CSIRO in its Report entitled Review of the Code of Forest Practices for Timber Production dated September 1995" (*Ms Garbutt*) - and, after debate -

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

The House divided.

AYES, 47

Mr Andrighetto	Mr Kennett	Dr Napthine	Mrs Tehan
Mr Ashley	Mr Kilgour	Mr Perrin	Mr Traynor
Ms Burke	Mr Lean	Mr Phillips	Mr Treasure
Mr Clark	Mr Leigh	Mr Plowman	Mrs Wade
Mr Coleman	Mr Lupton	(Benambra)	Mr Wells
Mr Cooper	Mr McArthur	Mr Reynolds	
Dr Dean	Ms McCall	Mr Richardson	
Mr Dixon	Mrs McGill	Mr Rowe	
Mr Doyle	Mr McGrath	Mr Ryan	
Mr Elder	(Wimmera)	Mrs Shardey	
Mrs Elliott	Mr McLellan	Mr Smith	
Mr Finn	(Frankston East)	(Glen Waverley)	
Mrs Henderson	Mr Maclellan	Mr Spry	Tellers
Mr Jasper	(Pakenham)	Mr Steggall	Mr Paterson
Mr Jenkins	Mr Maughan	Mr Stockdale	Mr Thompson

NOES, 25

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Ms Gillett	Mrs Maddigan	
Mr Brumby	Mr Hamilton	Mr Micallef	
Mrs Campbell	Mr Hulls	Mr Mildenhall	Tellers
Mr Carli	Ms Kosky	Mr Pandazopoulos	Mr Cameron
Mr Cole	Mr Langdon	Mr Seitz	Mr Lim

And so it was resolved in the affirmative.

Original question - put and agreed to.

Ordered - That the instrument of Approval, together with a copy of the Code of Forest Practices for Timber Production, Revision No. 2, November 1996, be transmitted to the Legislative Council with a message acquainting them that the Legislative Assembly have agreed to the foregoing resolution with which they desire the concurrence of the Legislative Council.

- 17 **PLANNING AND ENVIRONMENT (PLANNING SCHEMES) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until the Government has had further consultation with relevant organisations and the community about the ramifications of the Bill and gone through a formal exhibition and panel process in relation to the Victorian Planning Provisions which form a major part of the proposed planning reforms thereby allowing citizens the opportunity to express their concerns about any detrimental impacts it may have on the future use and development of land in this State"; debate resumed.

*Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 3 December 1996 had expired.*

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

The House divided.

AYES, 51

Mr Andrighetto	Mr Jenkins	Dr Napthine	Mr Steggall
Mr Ashley	Mr Kennett	Mr Perrin	Mr Stockdale
Mr Brown	Mr Kilgour	Mr Pescott	Mrs Tehan
Ms Burke	Mr Lean	Mr Phillips	Mr Traynor
Mr Clark	Mr Leigh	Mr Plowman	Mr Treasure
Mr Coleman	Mr Lupton	(Benambra)	Mrs Wade
Mr Cooper	Mr McArthur	Mr Reynolds	Mr Wells
Dr Dean	Ms McCall	Mr Richardson	
Mr Dixon	Mrs McGill	Mr Rowe	
Mr Doyle	Mr McGrath	Mr Ryan	
Mr Elder	(Wimmera)	Mrs Shardey	
Mrs Elliott	Mr McLellan	Mr Smith	
Mr Finn	(Frankston East)	(Glen Waverley)	
Mr Gude	Mr Maclellan	Mr Smith	Tellers
Mrs Henderson	(Pakenham)	(Polwarth)	Mr Paterson
Mr Jasper	Mr Maughan	Mr Spry	Mr Thompson

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Loney	Mrs Wilson
Mr Baker	Ms Garbutt	Mrs Maddigan	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Hamilton	Mr Mildenhall	
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	
Mr Carli	Ms Kosky	Mr Savage	Tellers
Mr Cole	Mr Langdon	Mr Seitz	Mr Cameron
Mr Cunningham	Mr Leighton	Mr Thwaites	Mr Lim

And so it was resolved in the affirmative.

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

The House divided.

AYES, 51

Mr Andrighetto	Mr Kennett	Mr Paterson	Mr Steggall
Mr Ashley	Mr Kilgour	Mr Perrin	Mr Stockdale
Mr Brown	Mr Lean	Mr Pescott	Mrs Tehan
Ms Burke	Mr Leigh	Mr Phillips	Mr Thompson
Mr Clark	Mr Lupton	Mr Plowman	Mr Treasure
Mr Coleman	Mr McArthur	(Benambra)	Mrs Wade
Mr Cooper	Ms McCall	Mr Reynolds	Mr Wells
Dr Dean	Mrs McGill	Mr Richardson	
Mr Doyle	Mr McGrath	Mr Rowe	
Mr Elder	(Wimmera)	Mr Ryan	
Mrs Elliott	Mr McLellan	Mrs Shardey	
Mr Finn	(Frankston East)	Mr Smith	
Mr Gude	Mr Maclellan	(Glen Waverley)	
Mrs Henderson	(Pakenham)	Mr Smith	Tellers
Mr Jasper	Mr Maughan	(Polwarth)	Mr Dixon
Mr Jenkins	Dr Napthine	Mr Spry	Mr Traynor

NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mr Lim	Mrs Wilson
Mr Baker	Mr Dollis	Mr Loney	
Mr Bracks	Ms Garbutt	Mrs Maddigan	
Mr Brumby	Mr Hamilton	Mr Micallef	
Mr Cameron	Mr Hulls	Mr Mildenhall	
Mrs Campbell	Ms Kosky	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Mr Langdon	Mr Seitz	Ms Gillett
Mr Cole	Mr Leighton	Mr Thwaites	Mr Savage

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Government amendment 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.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

18 **ARTS INSTITUTIONS (AMENDMENT) BILL** - Question - That Government Amendments Nos. 1 and 2 be agreed to and that the Bill be now read a third time and be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

19 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Parliament House Completion Authority (Repeal) Bill.

20 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Motion made, by leave, and question - That there be presented to this House an Information Paper from the Scrutiny of Acts and Regulations Committee upon the Review of the Fisheries (Abalone) Regulations 1996 entitled *Abalone - Taking Stock (Mr Thompson)* - put and agreed to.

21 **PAPER** - Mr Thompson presented:

Information Paper from the Scrutiny of Acts and Regulations Committee upon the Review of the Fisheries (Abalone) Regulations 1996 entitled *Abalone - Taking Stock - Return to the foregoing Order*.

Ordered to lie on the Table.

22 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Constitution Act Amendment Act 1958 - Report on the General Election, 30 March 1996

National Environment Protection Council - Report for the year 1995-96

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

Berwick Planning Scheme - No. L78

Boroondara Planning Scheme - No. L24

Brimbank Planning Scheme - No. L17

Darebin Planning Scheme - No. L9

Flinders Planning Scheme - No. L86 Part 1  
 Frankston Planning Scheme - No. L78  
 Gannawarra Planning Scheme - No. L1  
 Korumburra Planning Scheme - No. L65  
 Mitchell Planning Scheme - No. L4  
 Moira Planning Scheme - No. L7 Part 2  
 Port Phillip Planning Scheme - No. L41  
 Rosedale Planning Scheme - No. L36  
 Sale Planning Scheme - No. L26  
 South Gippsland Planning Scheme - Nos. L22, L24  
 Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan - Amendment  
 Nos. 91, 92, 93, 94, 95, 96  
 Warrnambool Planning Scheme - No. L23  
 Yarra Ranges Planning Scheme - Nos. L9, L11, L15, L35, L36, L37.

The following proclamation fixing an operative date was laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Westpac and Bank of Melbourne (Challenge Bank) Act 1996 - Division 1 of Part 2, Part 3, and Part 5 (except section 36 ) on 8 December 1996 (*Gazette No. G48, 5 December 1996*).

- 23 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified in writing to each member of the House (*Mr Gude*) - put and agreed to.
- 24 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 25 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
 And the House, at 6.41 p.m., adjourned until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified in writing to each Member of the House.

PHILIP J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS

Nos. 37, 38 and 39

### No. 37 - Tuesday, 18 March 1997

- 1 The House met pursuant to the terms of the resolution of 6 December 1996, Mr Speaker having fixed this day at Two o'clock as the time of meeting - Mr Speaker took the Chair and read the Prayer.
- 2 **RESIGNATION OF SEAT** - Mr Speaker announced that on 31 December last, he had received the following letter:

31 December 1996

Hon Jim Plowman MP  
Speaker  
Legislative Assembly  
Parliament House  
Spring Street  
MELBOURNE Vic. 3002

Dear Mr Speaker,

As at the time of handing you this letter I hereby resign as Member for Gippsland West.

I do so with a degree of regret as I have very much enjoyed my near eighteen years as a Member of the Legislative Assembly, however, as you are aware I am soon to take up the position of Agent-General based in London.

I am indeed proud and very honoured to have had the opportunity to serve as a Member of the Victorian Parliament and, in particular, I look back on my time as Leader of the Liberal Party and as a Minister in the present Government with considerable satisfaction.

I have very much appreciated working with you and our parliamentary colleagues and wish you and all associated with the Parliament of Victoria sincere best wishes for the future. In particular, would you please pass on my gratitude to all the staff of the Parliament for the wonderful assistance and support I have received from them over the years.

I will miss being a Member, however I shall look forward to returning from time to time to renew acquaintances.

My best wishes for the future.

Yours sincerely,

ALAN BROWN  
MINISTER FOR TRANSPORT

- 3 **ISSUE OF WRIT** - Mr Speaker announced that he had, on 2 January 1997, issued a Writ for a By-election for the Electoral District of Gippsland West to be held on 1 February 1997.
- 4 **ISSUE OF AND RETURN TO WRIT** - Mr Speaker announced that on 2 January 1997, I issued a Writ for the election of a Member to serve for the Electoral District of Gippsland West in the place of the Honourable Alan John Brown, resigned, and that I have received a return to the said Writ by which it appears that Susan Margaret Davies has been duly elected for the Electoral District of Gippsland West in pursuance of the said Writ.
- 5 **MEMBER SWORN** - Susan Margaret Davies was then introduced and made and subscribed the Affirmation required by law.
- 6 **DEATH OF CHARLES JAMES MURPHY, ESQUIRE** - Motion made and question - That this House expresses its sincere sorrow at the death of Charles James Murphy, Esquire, 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 Hawthorn from 1952 to 1955 (*Mr Kennett*) - put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 7 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 8 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Bogong Village** - Seeking that the planned closure of Bogong Village by Southern Hydro Limited not continue, bearing 779 signatures (*by Mr Plowman, Benambra*)
- Education Maintenance Allowance** - Seeking that the Government - (a) restore the Education Maintenance Allowance in full; and (b) continue to pay the Allowance directly to the parents so that parents and not school administrative staff make appropriate decisions concerning their childrens' educational needs, bearing 503 signatures (*by Mr Mildenhall*).
- Severally ordered to lie on the Table.
- 9 **GUIDELINES FOR THE CLASSIFICATION OF FILMS AND VIDEO TAPES** - Motion made, by leave, and question - That there be presented to this House a copy of Guidelines for the Classification of Films and Videotapes (Amendment) (No. 1) in lieu of the document ordered to be tabled on 12 November 1996 (*Mrs Wade*) - put and agreed to.
- 10 **PAPER** - Mrs Wade presented:
- Guidelines for the Classification of Films and Videotapes (Amendment) (No. 1) in lieu of the document ordered to be tabled on 12 November 1996 - Return to the foregoing Order.
- Ordered to lie on the Table.
- 11 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 1 of 1997 on the -
- Education (Trespass) Bill  
Education (Standards Council) Bill

Evidence (Audio Visual and Audio Linking) Bill  
Fisheries (Further Amendment) Bill  
together with an Appendix.

Ordered to lie on the Table and to be printed.

12 PAPERS -

Mr Speaker presented -

BLF (De-recognition) Act 1985 - Thirty-fourth Report of the Custodian.

Ordered to lie on the Table and to be printed.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Albury-Wodonga Development Corporation - Report for the year 1995-96

Building Act 1993 -

Building Code of Australia - Amendment No. 10

Minister's exemption certificate under section 9(1) of the *Subordinate Legislation Act* 1994 and notice of the making of the Amendment (G.G. S2, 6 January 1997)

Crown Land (Reserves) Act 1978 - Section 17DA Orders granting under Section 17D a lease in the -

Township of Daylesford

Township of Lorne

Drugs, Poisons and Controlled Substances Act 1981 - Documents pursuant to section 12H(1) -

Poisons Code - Standard for the Uniform Scheduling of Drugs and Poisons No. 11, Amendment Nos. 1 and 3, Part A and Notice regarding the amendment, commencement and availability of the Poisons Code (4 papers)

Financial Management Act 1994 -

Report of the Minister for Conservation and Land Management that she had received the 1995-96 Annual Report of the Northern Regional Waste Management Group

Report of the Minister for Health that he had received the Annual Report for the year ended 30 September 1996 of the Dental Board of Victoria

Forests Act 1958 - Order pursuant to section 52E amending the sustainable yield rates and grades in the Third Schedule

Goulburn Valley Base Hospital -

Financial Statements for the periods ended 29 February 1996 and 30 June 1996 (two papers)

Report for the year 1995-96 and Diary for the year 1997

Interpretation of Legislation Act 1984 - Notice under section 32(3)(a) in relation to Statutory Rule No. 5/1997

Land Conservation Council - Final Recommendations for the Historic Places South Western Victoria Special Investigation

Melbourne City Link Act 1995 -

- Orders pursuant to section 8(4) decreasing the Project Area (two papers)
- Orders pursuant to section 8(4) increasing the Project Area
- Statement of Variation No. 1/1997 - Changes to the Project Scope & Technical Requirements Request for Change No. 1
- Statement of Variation No. 2/1997 - Changes to the Project Scope & Technical Requirements Request for Change No. 2

Museums Advisory Board - Report for the year 1995-96

Northern Regional Waste Management Group - Report for the year 1995-96

O'Connell Family Centre (Grey Sisters) Inc. - Report for the year 1995-96

Planning and Environment Act 1987 - Amendment Nos. 97, 98, 99, 100 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan (four papers)

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

- All Planning Schemes - Nos. S65, SL3, SL62, SRL4
- Avon Planning Scheme - No. L10
- Bacchus Marsh Planning Scheme - No. L41
- Bairnsdale (Shire) Planning Scheme - No. L54
- Ballarat Planning Scheme - Nos. L19, L20
- Banyule Planning Scheme - Nos. L7, L8 Part 1
- Bayside Consolidation Amendment
- Berwick Planning Scheme - Nos. L39 Part 1B, L70 Part 2A, L90 Part 1, L96, L97, L119
- Booroondara Planning Scheme - Nos. L14, L25, L27, L28
- Brighton Planning Scheme - No. L32
- Brimbank Planning Scheme - Nos. L30, L31
- Buninyong Planning Scheme - No. L60
- Castlemaine Planning Scheme - No. L19
- Cranbourne Planning Scheme - Nos. L133, L140, L156, L196, L199, L200, L206
- Darebin Planning Scheme - Nos. L30, L41, L43
- Diamond Valley Planning Scheme - Nos. L51, L64
- Dimboola Planning Scheme - No. L6 Part 1
- Doncaster and Templestowe Planning Scheme - Nos. L109, L111, L112, L113
- Eltham Planning Scheme - No. L57
- Euroa Planning Scheme - No. L25
- Flinders Planning Scheme - Nos. L139, L159, L162
- Frankston Planning Scheme - Nos. L81, L82
- Glen Eira Planning Scheme - No. L3
- Goulburn Planning Scheme - No. L10 Part 1
- Greater Bendigo Planning Scheme - Nos. L54, L56
- Greater Dandenong Planning Scheme - Nos. L6, L7, L9
- Greater Geelong Planning Scheme - Nos. L153, SRL4
- Healesville Planning Scheme - No. L71
- Hepburn Planning Scheme - No. L1
- Hobsons Bay Planning Scheme - Nos. L1, L2
- Hume Planning Scheme - Nos. L13, L17, L18, L23, L26, L27
- Kingston Planning Scheme - Nos. L7, L10, L15
- Knox Planning Scheme - Nos. L113, L132, L133, L134
- Korong Planning Scheme - No. L3
- Macedon Ranges Planning Scheme - Nos. L2, L13

Maribyrnong Planning Scheme - Nos. L1, L5, L8, L22, L23  
 Maroondah Planning Scheme - Nos. L4, L7  
 Melbourne Planning Scheme - Nos. L224, L228, L235, L236, L238, L239  
 Melton Planning Scheme - Nos. L61, L69, L76, L78  
 Metropolitan Region Planning Scheme - No. R44  
 Mitchell Planning Scheme - Nos. L17, L29 Part 1  
 Moe Planning Scheme - Nos. L38, L39  
 Moira Planning Scheme - No. L15  
 Monash Planning Scheme - Nos. L9, L13, L18, L22  
 Moonee Valley Planning Scheme - Nos. L10, L18  
 Moorabbin Planning Scheme - No. L65  
 Mordialloc Planning Scheme - No. L20  
 Moreland Planning Scheme - No. L30  
 Mornington Planning Scheme - Nos. L66, L68  
 Morwell Planning Scheme - No. L59  
 Narracan Planning Scheme - No. L37  
 Nillumbik Consolidation Amendment  
 Nillumbik Planning Scheme - No. L2  
 Pakenham Planning Scheme - Nos. L113, L127, L128, L129, L130, L131  
 Phillip Island Planning Scheme - No. L73  
 Port of Melbourne Planning Scheme - Nos. L18, L19, L20  
 Port Phillip Planning Scheme - Nos. L8, L23, L37, L39, L43, L45, L46  
 Portland City Planning Scheme - No. SRL4  
 Rodney Planning Scheme - Nos. L92, L94 Part 1, L96  
 Seymour Planning Scheme - No. L29  
 Shepparton City Planning Scheme - No. L58  
 Sherbrooke Planning Scheme - No. L125  
 South Gippsland Planning Scheme - No. L38  
 Stonnington Planning Scheme - Nos. L18, L19  
 Surf Coast Planning Scheme - No. RL41  
 Tambo Planning Scheme - No. L68  
 Traralgon (City) Planning Scheme - Nos. L68, L70  
 Warrnambool Planning Scheme - No. L17 Part A  
 Werribee Planning Scheme - Nos. L88 Part 1, L101, L110, L113  
 Whitehorse Planning Scheme - Nos. L12, L14  
 Whittlesea Planning Scheme - Nos. L82 Part 2, L131, L139, L140, L141  
 Wodonga Rural City Planning Scheme - Nos. L3, L5, L6 Part 1, L11, L15  
 Wonthaggi Planning Scheme - No. L22  
 Woorayl Planning Scheme - Nos. L53, L55, L57  
 Yackandandah Planning Scheme - No. L30  
 Yarra Planning Scheme - Nos. L27, L32, L34, L35, SL62  
 Yarra Ranges Planning Scheme - Nos. L22 Part 1, L25 Part 2, L28, L38, L41, L45,  
 L46, L52, L59

Small Business Victoria - Report for the year 1995-96

Statutory Rules under the following Acts:

Accident Compensation Act 1985 - S.R. No. 155  
 Administrative Appeals Tribunal Act 1984 - S.R. No. 149  
 Alpine Resorts Act 1983 - S.R. No. 147  
 Appeal Costs Act 1964 - S.R. No. 132  
 Australian Grands Prix Act 1994 - S.R. No. 151  
 Building Act 1993 - S.R. No. 161  
 Children and Young Persons Act 1989 - S.R. No. 150

- Chiropractors and Osteopaths Act 1978 - S.R. No. 158  
 Competition Policy Reform (Victoria) Act 1995 - S.R. No. 135  
 County Court Act 1958 - S.R. Nos. 165, 12/1997  
 Dangerous Goods Act 1985 - S.R. No. 11/1997  
 Dental Technicians Act 1972 - S.R. No. 144  
 Dentists Act 1972 - S.R. No. 157  
 Education Act 1958 - S.R. No. 6/1997  
 Estate Agents Act 1980 - S.R. No. 9/1997  
 Fisheries Act 1968 - S.R. Nos. 152, 154  
 Health Act 1958 - S.R. Nos. 13/1997, 14/1997  
 Health Services Act 1988 - S.R. Nos. 159, 160  
 Land Tax Act 1958 - S.R. No. 145  
 Legal Profession Practice Act 1958 - S.R. No. 153  
 Listening Devices Act 1969 - S.R. No. 2/1997  
 Magistrates' Court Act 1989 - S.R. Nos. 143, 146  
 Marine Act 1988 - S.R. Nos. 163, 8/1997  
 Metropolitan Fire Brigades Act 1958 - S.R. No. 4/1997  
 Mineral Resources Development Act 1990 - S.R. No. 1/1997  
 Occupational Health and Safety Act 1985 - S.R. No. 148  
 Optometrists Registration Act 1958 - S.R. No. 130  
 Pharmacists Act 1974 - S.R. No. 156  
 Road Safety Act 1986 - S.R. Nos. 136, 10/1997, 16/1997  
 Second-Hand Dealers and Pawnbrokers Act 1989 - S.R. No. 7/1997  
 Shop Trading Reform Act 1996 - S.R. No. 134  
 State Electricity Commission Act 1958 - S.R. No. 5/1997  
 Subordinate Legislation Act 1994 - S.R. No. 131  
 Supreme Court Act 1986 - S.R. Nos. 129, 133, 137, 138, 139, 140, 141, 142, 166,  
 17/1997  
 Tobacco Act 1987 - S.R. No. 15/1997  
 Transport Accident Act 1986 - S.R. No. 164  
 Transport Act 1983 - S.R. No. 162  
 Travel Agents Act 1986 - S.R. No. 3/1997  
 Subordinate Legislation Act 1994 -  
     Ministers' exception certificates in relation to Statutory Rule Nos. 130, 131, 132, 137,  
     138, 139, 140, 141, 142, 143, 145, 149, 156, 157, 158, 159, 165, 4/1997, 12/1997,  
     17/1997  
     Ministers' exemption certificates in relation to Statutory Rule Nos. 134, 135, 147,  
     150, 152, 153, 154, 160, 162, 163, 2/1997, 6/1997, 7/1997, 8/1997, 14/1997,  
     15/1997  
 Transport Act 1983 - Orders for Transfer of Assets and Liabilities pursuant to section 81  
 (two papers)  
 Waranga Memorial Hospital - Financial Statements for the period ended 29 February  
 1996  
 Wildlife Act 1975 - Wildlife (Closure of Areas to Hunting) Notice No. 1/1997.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

- Accident Compensation (Amendment) Act 1996 - Section 40 on 19 December 1996  
 (*Gazette No. G50, 19 December 1996*)  
 Accident Compensation (Further Amendment) Act 1996 - Sections 10, 12, 15, 25, 26, 29  
 and 34 on 23 January 1997 (*Gazette No. G3, 23 January 1997*)

Arts Institutions (Amendment) Act 1996 - Remaining provisions of Part 2 (except Sections 5(3), 23, 24(3), 24(4), 24(5), 25, 26, 29(c) and 33); remaining provisions of Part 3 (except sections 37(2), 48, 49(2), 49(3), 50, 51, 52 and 67); remaining provisions of Part 4 (except Sections 69(b), 78 and 82); Part 5; Part 6; Part 7 (except section 91) on 4 February 1997 (*Gazette No. G5, 6 February 1997*)

Commonwealth Powers (Industrial Relations) Act 1996 - Part 2 on 17 December 1996 (*Gazette No. S142, 17 December 1996*)

Corrections (Amendment) Act 1996 - Remaining provisions (except for sections 11, 12 and 13) on 6 February 1997 (*Gazette No. G5, 6 February 1997*)

Environment Protection (Amendment) Act 1996 - Sections 6, 20, 21, 24(2) and 25 to 27 on 17 December 1996 (*Gazette No. S142, 17 December 1996*). Sections 3 and 24(1) on 21 January 1997 (*Gazette No. S7, 21 January 1997*)

Farm Produce Wholesale (Amendment) Act 1996 - Remaining provisions (except Section 23) on 31 December 1996 (*Gazette No. G50, 19 December 1996*)

Firearms Act 1996 - Sections 3, 189 and 196 on 4 February 1997 (*Gazette No. G5, 6 February 1997*)

Health (Radiographers) Act 1990 - Whole Act on 1 March 1997 (*Gazette No. G8, 27 February 1997*)

Lord Mayor's Charitable Fund Act 1996 - Remaining provisions on 1 February 1997 (*Gazette No. G3, 23 January 1997*)

Melbourne Convention and Exhibition Trust Act 1996 - Remaining provisions on 5 February 1997 (*Gazette No. S16, 5 February 1997*)

Miscellaneous Acts (Further Omnibus Amendments) Act 1996 - Sections 75, 86, 87, 91(1) and 91(8) and Part 22 on 19 December 1996 (*Gazette No. G50, 19 December 1996*)

Motor Car Traders (Amendment) Act 1996 - Remaining provisions, except Section 13, 42(1)(c), 51(b) and 51(d), on 1 March 1997 (*Gazette No. G7, 20 February 1997*)

Rail Corporations Act 1996 - Remaining provisions (except Division 2 of Part 2) on 1 March 1997. Division 2 of Part 2 on 1 April 1997 (*Gazette No. S11, 28 January 1997*)

Small Business Victoria (Repeal) Act 1996 - Remaining provisions on 1 January 1997 (*Gazette No. S146, 23 December 1996*).

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Mr Speaker announced that he had received a Message from the Legislative Council acquainting the Assembly that they have concurred with the Resolution adopted by the Assembly on 6 December 1996 and have ratified the Instrument of Approval of the Code of Forest Practices for Timber Production, Revision No. 2, November 1996, approved by the Minister for Conservation and Land Management on 15 November 1996.

- 14 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Magistrates' Court (Amendment) Bill  
 Accident Compensation (Further Amendment) Bill  
 Casino (Management Agreement) (Amendment) Bill  
 Pipelines (Amendment) Bill  
 Fisheries (Amendment) Bill  
 Queen Victoria Market Lands Bill  
 Melbourne Convention and Exhibition Trust Bill  
 Melbourne Exhibition Centre (Amendment) Bill

Superannuation Acts (Further Amendment) Bill  
 Arts Institutions (Amendment) Bill  
 Planning and Environment (Planning Schemes) Bill  
 Environment Protection (Amendment) Bill  
 Land (Further Revocation of Reservations) Bill.

**15 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS -** Informing the Assembly that he had given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

On 10 December 1996

Lord Mayor's Charitable Fund Bill  
 Mental Health (Interstate Provisions) Bill  
 Optometrists Registration Bill  
 University Acts (Amendment) Bill  
 Witness Protection (Amendment) Bill

On 12 December 1996

Commonwealth Powers (Industrial Relations) Bill

On 17 December 1996

Accident Compensation (Further Amendment) Bill  
 Arts Institutions (Amendment) Bill  
 Casino (Management Agreement) (Amendment) Bill  
 Chiropractors Registration Bill  
 Courts and Tribunals (General Amendment) Bill  
 Environment Protection (Amendment) Bill  
 Firearms Bill  
 Fisheries (Amendment) Bill  
 Health Acts (Further Amendment) Bill  
 Land (Further Revocation of Reservations) Bill  
 Magistrates' Court (Amendment) Bill  
 Melbourne Convention and Exhibition Trust Bill  
 Melbourne Exhibition Centre (Amendment) Bill  
 Miscellaneous Acts (Further Omnibus Amendments) Bill  
 Motor Car Traders (Amendment) Bill  
 Osteopaths Registration Bill  
 Pipelines (Amendment) Bill  
 Planning and Environment (Planning Schemes) Bill  
 Queen Victoria Market Lands Bill  
 Rail Corporations Bill  
 Stock (Seller Liability and Declarations) (Amendment) Bill  
 Victims of Crime Assistance Bill

On 23 December 1996

Superannuation Acts (Further Amendment) Bill  
 Friendly Societies (Victoria) Bill  
 Co-operatives Bill.

- 
- 16 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:  
 Education (Standards Council) Bill  
 Fisheries (Further Amendment) Bill.
- 17 **GRIEVANCES** - Motion made, by leave, and question - That for the purposes of Sessional Order No. 4(1), Wednesday, 2 April 1997 and Wednesday, 30 April 1997 be appointed days upon which the question "That grievances be noted" may be put (*Mr Gude*) - put and agreed to.
- 18 **CORRECTION OF BILLS** - Motion made, by leave, and question - That where a Bill has passed through both Houses and the citation of the Bill includes a reference to a calendar year earlier than that in which the passage of the Bill was completed, the Clerk of the Parliaments be empowered to alter the calendar year reference in the citation of the Bill and any corresponding reference within the Bill itself to the year in which the passage of the Bill was so completed (*Mr Gude*) - put and agreed to.
- 19 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business be considered and completed by 4.00 p.m. on Thursday, 20 March 1997:  
 Interpretation of Legislation (Amendment) Bill  
 Cinemedia Corporation Bill  
 National Parks (Amendment) Bill  
 Parliament House Completion Authority (Repeal) Bill  
 Education (Standards Council) Bill  
 Education (Trespass) Bill  
 Fisheries (Further Amendment) Bill  
 Evidence (Audio Visual and Audio Linking) Bill  
 (*Mr Gude*) - put, after debate, and agreed to.
- 20 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** - 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, read a third time forthwith.  
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 21 **CINEMEDIA CORPORATION BILL** - Order read for resuming debate on question - That this Bill be now read a second time.  
 Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move an amendment in Committee 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 Smith, Glen Waverley*) - put and agreed to.  
 Ordered - That the debate be adjourned until tomorrow.
- 22 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.

- 23 **PARLIAMENT HOUSE COMPLETION AUTHORITY (REPEAL) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Kennett*).

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until such time as the Government identifies alternative uses for the funds which would have been expended on completing Parliament House and, in particular, that the Government specifies capital works and job programmes in country Victoria as alternatives to the completion of Parliament House" (*Mr Brumby*).

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 24 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.06 p.m.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 38 - Wednesday, 19 March 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Careless Driving** - Seeking that the law relating to careless driving be changed to provide for heavy penalties for persons whose careless driving causes death, bearing 9,978 signatures (*by Mr John*)
  - Dunolly Hospital** - Seeking that all hospital and nursing home services be maintained at the Dunolly Hospital at the 1996 level and that the number of staffing positions are not reduced, bearing 2,403 signatures (*by Mr Cameron*)
  - Wilson's Promontory National Park** - Seeking that Wilson's Promontory National Park be managed in accordance with the provision of the National Parks Act to conserve and protect the park in its natural condition and that proposals which will change the character of the park be abandoned, bearing 151 signatures (*by Ms McCall*).

Severally ordered to lie on the Table.

- 3 **PETITION - WILSON'S PROMONTORY NATIONAL PARK** - Motion made and question - That the petition presented by the Member for Frankston relating to the Wilson's Promontory National Park be taken into consideration tomorrow (*Mr Brumby*) - put and agreed to.

- 4 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Prevention of Cruelty to Animals Act 1986 -

Revocation of the Code of Accepted Farming Practice for the Welfare of Domestic Fowl approved by the Governor in Council on 20 August 1985

Code of Accepted Farming Practice for the Welfare of Poultry (Revision Number 1)

Revocation of the Code of Accepted Farming Practice for the Welfare of Cattle approved by the Governor in Council on 17 February 1981 and the amendment to the Code approved by the Governor in Council on 5 August 1986

Code of Accepted Farming Practice for the Welfare of Cattle (Victoria) (Revision Number 1)

Subordinate Legislation Act 1994 - Minister's exemption certificate in relation to Statutory Rule No. 1/1997.

- 5 **ADJOURNMENT MOTION - INTERGRAPH DISPATCH SYSTEM** - Mr Haermeyer proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

"The failure of the Intergraph dispatch system to meet emergency demands during the Dandenong Ranges bushfires in January this year."

Mr Speaker having ascertained that twelve members approved of the proposed discussion -

Motion made and question - That the House do now adjourn (*Mr Haermeyer*) - after debate, put.

The House divided.

AYES, 31

Mr Andrianopoulos	Ms Davies	Mr Lim	Mr Thwaites
Mr Baker	Mr Dollis	Mr Loney	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mrs Maddigan	
Mr Bracks	Mr Haermeyer	Mr Micallef	
Mr Brumby	Mr Hamilton	Mr Mildenhall	
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	
Mr Carli	Ms Kosky	Mr Savage	<i>Tellers</i>
Mr Cole	Mr Langdon	Mr Seitz	Mr Cameron
Mr Cunningham	Mr Leighton	Mr Sheehan	Ms Gillett

## NOES, 51

Mr Andrighetto	Mr Jenkins	Dr Napthine	Mr Steggall
Mr Ashley	Mr John	Mr Paterson	Mr Stockdale
Ms Burke	Mr Kilgour	Mr Perrin	Mr Thompson
Mr Clark	Mr Leigh	Mr Pescott	Mr Traynor
Mr Coleman	Mr Lupton	Mrs Peulich	Mr Treasure
Mr Cooper	Mr McArthur	Mr Plowman	Mrs Wade
Dr Dean	Ms McCall	(Benambra)	Mr Wells
Mr Dixon	Mrs McGill	Mr Reynolds	
Mr Doyle	Mr McGrath	Mr Richardson	
Mr Elder	(Wimmera)	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	(Frankston East)	Mr Smith	
Mr Gude	Mr McNamara	(Glen Waverley)	
Mrs Henderson	Mr Maclellan	Mr Smith	Tellers
Mr Honeywood	(Pakenham)	(Polwarth)	Mr Lean
Mr Jasper	Mr Maughan	Mr Spry	Mrs Shardey

And so it passed in the negative.

- 6 **CITY LINK PROJECT - TRANSURBAN CONTRACT** - Motion made and question proposed - That this House condemns the Government for entering a contract with the Transurban consortium for the City Link project which is anti-competitive and places an unacceptable financial burden on Victorian motorists and taxpayers because - (a) the contract requires the closure or narrowing of major arterial roads in Melbourne so as to force cars onto the City Link tollway, and allows Transurban to claim compensation from the Government if any of these traffic measures are removed; (b) the contract requires Transurban to be compensated for lost tollway revenue if, amongst other things, the Government - (i) upgrades alternative roads; (ii) builds a rapid transit link to Tullamarine Airport; and (iii) upgrades other alternative transport routes to City Link; and (c) the contract requires motorists to pay tolls for 34 years, at a total cost of about \$7 billion, whereas the actual construction cost of City Link is \$1.2 billion (*Mr Batchelor*).

*General Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 7 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 8 **OFFICE OF THE REGULATOR-GENERAL (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to amend the Office of the Regulator-General Act 1994 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **NATIONAL AUSTRALIA BANK AND BANK OF NEW ZEALAND BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to provide for the transfer to National Australia Bank Limited of the banking business of Bank of New Zealand and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **CONSTITUTION AND PARLIAMENTARY COMMITTEES (AMENDMENT) BILL** - Mr Kennett obtained leave, with Mr McNamara, to bring in a Bill "*to amend the Constitution Act 1975, the Parliamentary Committees Act 1968 and the Parliamentary Salaries and Superannuation Act 1968 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

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- 11 **HERITAGE (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr Gude, to bring in a Bill "*to amend the Heritage Act 1995 and the Mineral Resources Development Act 1990 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  - 12 **HIRE-PURCHASE (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Hire-Purchase Act 1959 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  - 13 **GAMING ACTS (FURTHER AMENDMENT) BILL** - Mr Reynolds, after debate, obtained leave, with Mr Gude, to bring in a Bill "*to amend the Gaming and Betting Act 1994, the Gaming Machine Control Act 1991, the Club Keno Act 1993 and the Tattersall Consultations Act 1958 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  - 14 **GAMING NO. 2 BILL** - Mr Reynolds obtained leave with Mr Gude, to bring in a Bill "*to revise the law relating to minor gaming, to make consequential and other amendments to the Lotteries Gaming and Betting Act 1966 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  - 15 **RACING (AMENDMENT) BILL** - Mr Reynolds obtained leave, with Mr Gude, to bring in a Bill "*to amend the Racing Act 1958 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  - 16 **HEALTH SERVICES (COMMUNITY HEALTH CENTRES) BILL** - Dr Naphthine, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Health Services Act 1988 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  - 17 **MELBOURNE UNIVERSITY (VCAH) BILL** - Mr Honeywood, pursuant to a motion moved on his behalf by Mr Gude, obtained leave with Mr Stockdale, to bring in a Bill "*to amend the Melbourne University Act 1958 to provide for the merger of the Victorian College of Agriculture and Horticulture with The University of Melbourne, to make consequential amendments to the Vocational Education and Training Act 1990 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  - 18 **BOARD OF STUDIES (AMENDMENT) BILL** - Mr Gude obtained leave, with Mr Stockdale, to bring in a Bill "*to amend the Board of Studies Act 1993 to expand the objective of the Board to provide for guidelines and procedures to be developed for courses for students outside Victoria and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  - 19 **TEACHING SERVICE (AMENDMENT) BILL** - Mr Gude obtained leave, with Mr Stockdale, to bring in a Bill "*to make minor amendments to the Teaching Service Act 1981 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  - 20 **CINEMEDIA CORPORATION BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

21 NATIONAL PARKS (AMENDMENT) BILL - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mrs Tehan announced that it was proposed to move an amendment in Committee 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 place thereof the words 'this Bill be withdrawn and redrafted to include provisions which prohibit the use of our national parks as tourist "resorts" to be exploited for maximum profit by government or private interests and to specifically prohibit leases or licences for new serviced accommodation and/or licensed facilities at Wilson's Promontory and Tidal River' (*Ms Garbutt*) - and, after debate -

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

The House divided.

AYES, 54

Mr Andrighetto	Mr Kennett	Mr Perrin	Mr Stockdale
Mr Ashley	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Clark	Mr Lean	Mr Pescott	Mr Thompson
Mr Coleman	Mr Leigh	Mrs Peulich	Mr Traynor
Mr Cooper	Mr Lupton	Mr Plowman	Mr Treasure
Dr Dean	Mr McArthur	( <i>Benambra</i> )	Mrs Wade
Mr Dixon	Ms McCall	Mr Reynolds	Mr Wells
Mr Doyle	Mr McGrath	Mr Richardson	
Mr Elder	( <i>Wimmera</i> )	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	( <i>Frankston East</i> )	Mrs Shardey	
Mr Gude	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	( <i>Glen Waverley</i> )	
Mr Honeywood	( <i>Pakenham</i> )	Mr Smith	
Mr Jasper	Mr Maughan	( <i>Polwarth</i> )	<i>Tellers</i>
Mr Jenkins	Dr Napthine	Mr Spry	Ms Burke
Mr John	Mr Paterson	Mr Steggall	Mr Phillips

NOES, 31

Mr Andrianopoulos	Mr Cunningham	Mr Langdon	Mr Thwaites
Mr Baker	Ms Davies	Mr Leighton	Mrs Wilson
Mr Batchelor	Mr Dollis	Mr Loney	
Mr Bracks	Ms Garbutt	Mr Micallef	
Mr Brumby	Ms Gillett	Mr Mildenhall	
Mr Cameron	Mr Haermeyer	Mr Pandazopoulos	
Mrs Campbell	Mr Hamilton	Mr Savage	<i>Tellers</i>
Mr Carli	Mr Hulls	Mr Seitz	Mr Lim
Mr Cole	Ms Kosky	Mr Sheehan	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read a third time.

- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 22 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 3 and 4, be postponed until later this day.
- 23 **FISHERIES (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.  
Pursuant to Sessional Orders, Mr Gude announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.  
Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.  
Ordered - That the debate be adjourned until tomorrow.
- 24 **EDUCATION (STANDARDS COUNCIL) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.  
*Business having been interrupted at 10.00 p.m. pursuant to Sessional Orders.*
- 25 **ADJOURNMENT** - Mr Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.06 p.m.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 39 - Thursday, 20 March 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:  
**Austral Softwood Processing Factory, Wangaratta** - Seeking that Planning Application 97/10 to construct the Austral Softwood Processing Factory at Bourke Road, North Wangaratta be approved, bearing 346 signatures (*by Mr Jasper*).  
Ordered to lie on the Table.
- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:  
Financial Management Act 1994 -  
Report of the Minister for Conservation and Land Management that she had received the 1995-96 Annual Report of the Surveyors' Board of Victoria  
Report of the Minister for Health that he had received the 1995-96 Annual Report of The Clunes District Hospital

Medical Practitioners Board - Report for the year ended 30 September 1996

Memorial Park Cemetery Trust - Report for the year 1995

North Eastern Health Care Network - Report for the year 1995-96 (two papers)

Subordinate Legislation Act 1994 - Minister's exemption certificate in relation to Statutory Rule No. 164.

- 4 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Fisheries (Further Amendment) Bill.
- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 1 April 1997 (*Mr Gude*) - put and agreed to.
- 6 **EVIDENCE (AUDIO VISUAL AND AUDIO LINKING) BILL** - 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, read a third time forthwith.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 7 **FISHERIES (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 8 **EDUCATION (TRESPASS) BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to include provisions which - (a) require oral warnings which may be given to a person under new sections 20C or 20D proposed by the Bill to be followed by a written warning which contain reasons capable of review; (b) establish an appeal panel to - (i) inquire as to the legality of a written warning and the reasons given; and (ii) mediate and arbitrate if necessary; and (c) provide that those reasons shall not relate to industrial disputation or political protests" (*Mr Mildenhall*) -  
*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*
- 9 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 10 **EDUCATION (TRESPASS) BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to include provisions which - (a) require oral warnings which may be given to a person under new sections 20C or 20D proposed by the Bill to be followed by a written warning which contain reasons capable of review; (b) establish an appeal panel to - (i) inquire as to the legality of a written warning and the reasons given; and (ii) mediate and arbitrate if necessary; and (c) provide that those reasons shall not relate to industrial disputation or political protests".  
 Motion made and question - That the debate be now adjourned (*Mr Thompson*) - 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 Orders of the Day, Government Business, Nos. 4 and 5 inclusive, be postponed until later this day.
- 12 **OFFICE OF THE REGULATOR-GENERAL (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).  
 Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.  
 Ordered - That the debate be adjourned until Tuesday, 1 April 1997.
- 13 **NATIONAL AUSTRALIA BANK AND BANK OF NEW ZEALAND BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).  
 Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.  
 Ordered - That the debate be adjourned until Tuesday, 1 April 1997.
- 14 **CONSTITUTION AND PARLIAMENTARY COMMITTEES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).  
*Mr Gude made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*  
 Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.  
 Ordered - That the debate be adjourned until Tuesday, 1 April 1997.
- 15 **HERITAGE (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).  
 Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.  
 Ordered - That the debate be adjourned until Tuesday, 1 April 1997.
- 16 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 10 be postponed until later this day.
- 17 **GAMING NO. 2 BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).  
 Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.  
 Ordered - That the debate be adjourned until Tuesday, 1 April 1997.  
*Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 18 March 1997 had expired.*

- 18 **EDUCATION (TRESPASS) BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to include provisions which - (a) require oral warnings which may be given to a person under new sections 20C or 20D proposed by the Bill to be followed by a written warning which contain reasons capable of review; (b) establish an appeal panel to - (i) inquire as to the legality of a written warning and the reasons given; and (ii) mediate and arbitrate if necessary; and (c) provide that those reasons shall not relate to industrial dispute or political protests".

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

The House divided.

AYES, 51

Mr Ashley	Mr Kilgour	Mr Paterson	Mr Spry
Ms Burke	Mr Lean	Mr Perrin	Mrs Tehan
Mr Clark	Mr Leigh	Mr Pescott	Mr Thompson
Mr Coleman	Mr Lupton	Mrs Peulich	Mr Traynor
Mr Cooper	Mr McArthur	Mr Phillips	Mr Treasure
Dr Dean	Ms McCall	Mr Plowman	Mrs Wade
Mr Dixon	Mrs McGill	(Benambra)	Mr Wells
Mr Doyle	Mr McGrath	Mr Reynolds	
Mr Elder	(Wimmera)	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	(Frankston East)	Mr Savage	
Mr Gude	Mr McNamara	Mrs Shardey	
Mr Honeywood	Mr Maclellan	Mr Smith	
Mr Jasper	(Pakenham)	(Glen Waverley)	Tellers
Mr Jenkins	Mr Maughan	Mr Smith	Mr Andrighetto
Mr John	Dr Napthine	(Polwarth)	Ms Davies

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Loney	Mrs Wilson
Mr Baker	Ms Garbutt	Mrs Maddigan	
Mr Batchelor	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	
Mr Cameron	Mr Hamilton	Mr Pandazopoulos	
Mr Carli	Mr Hulls	Mr Seitz	Tellers
Mr Cole	Ms Kosky	Mr Sheehan	Mr Leighton
Mr Cunningham	Mr Langdon	Mr Thwaites	Mr Lim

And so it was resolved in the affirmative.

Question - That this Bill be now read a second time and a third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

19 **EDUCATION (STANDARDS COUNCIL) BILL** - 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 and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put.

The House divided.

AYES, 52

Mr Andrighetto	Mr Kilgour	Mr Paterson	Mr Spry
Mr Ashley	Mr Lean	Mr Perrin	Mr Steggall
Mr Clark	Mr Leigh	Mr Pescott	Mrs Tehan
Mr Coleman	Mr Lupton	Mrs Peulich	Mr Thompson
Mr Cooper	Mr McArthur	Mr Phillips	Mr Traynor
Ms Davies	Ms McCall	Mr Plowman	Mr Treasure
Dr Dean	Mrs McGill	(Benambra)	Mrs Wade
Mr Doyle	Mr McGrath	Mr Reynolds	Mr Wells
Mr Elder	(Wimmera)	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	(Frankston East)	Mr Savage	
Mr Gude	Mr McNamara	Mrs Shardey	
Mr Honeywood	Mr Maclellan	Mr Smith	
Mr Jasper	(Pakenham)	(Glen Waverley)	Tellers
Mr Jenkins	Mr Maughan	Mr Smith	Ms Burke
Mr John	Dr Napthine	(Polwarth)	Mr Dixon

NOES, 27

Mr Andrianopoulos	Ms Garbutt	Mr Lim	Mrs Wilson
Mr Baker	Ms Gillett	Mr Loney	
Mr Batchelor	Mr Haermeyer	Mr Micallef	
Mr Brumby	Mr Hamilton	Mr Mildenhall	
Mr Carli	Mr Hulls	Mr Pandazopoulos	
Mr Cole	Ms Kosky	Mr Seitz	Tellers
Mr Cunningham	Mr Langdon	Mr Sheehan	Mr Cameron
Mr Dollis	Mr Leighton	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

20 **PARLIAMENT HOUSE COMPLETION AUTHORITY (REPEAL) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until such time as the Government identifies alternative uses for the funds which would have been expended on completing Parliament House and, in particular, that the Government specifies capital works and job programmes in country Victoria as alternatives to the completion of Parliament House".

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

The House divided.

AYES, 50

Mr Andrighetto	Mr Jenkins	Mr Maughan	Mr Smith
Mr Ashley	Mr John	Dr Napthine	(Polwarth)
Ms Burke	Mr Kilgour	Mr Paterson	Mr Spry
Mr Clark	Mr Lean	Mr Perrin	Mr Steggall
Mr Coleman	Mr Leigh	Mr Pescott	Mrs Tehan
Mr Cooper	Mr Lupton	Mrs Peulich	Mr Thompson
Dr Dean	Mr McArthur	Mr Phillips	Mr Treasure
Mr Dixon	Mrs McGill	Mr Plowman	Mrs Wade
Mr Doyle	Mr McGrath	(Benambra)	Mr Wells
Mr Elder	(Wimmera)	Mr Reynolds	
Mrs Elliott	Mr McLellan	Mr Richardson	
Mr Finn	(Frankston East)	Mr Rowe	
Mr Gude	Mr McNamara	Mrs Shardey	Tellers
Mr Honeywood	Mr Maclellan	Mr Smith	Ms McCall
Mr Jasper	(Pakenham)	(Glen Waverley)	Mr Traynor

NOES, 30

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mrs Wilson
Mr Baker	Mr Dollis	Mr Loney	
Mr Batchelor	Ms Garbutt	Mrs Maddigan	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	
Mr Cameron	Mr Hamilton	Mr Pandazopoulos	
Mr Carli	Mr Hulls	Mr Seitz	Tellers
Mr Cole	Ms Kosky	Mr Sheehan	Mr Lim
Mr Cunningham	Mr Langdon	Mr Thwaites	Mr Savage

And so it was resolved in the affirmative.

Question - That this Bill be now read a second time and a third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 21 **GAMING ACTS (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).

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

Ordered - That the debate be adjourned Tuesday, 1 April 1997.

- 22 **RACING (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).

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

Ordered - That the debate be adjourned until Tuesday, 1 April 1997.

- 23 **HEALTH SERVICES (COMMUNITY HEALTH CENTRES) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).

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

Ordered - That the debate be adjourned until Tuesday, 1 April 1997.

- 24 **MELBOURNE UNIVERSITY (VCAH) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Honeywood*).

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

Ordered - That the debate be adjourned until Tuesday, 1 April 1997.

- 25 **BOARD OF STUDIES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Honeywood*).

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

Ordered - That the debate be adjourned until Tuesday, 1 April 1997.

- 26 **TEACHING SERVICE (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Honeywood*).

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

Ordered - That the debate be adjourned until Tuesday, 1 April 1997.

- 27 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Honeywood*) - put and agreed to.

- 28 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.

And the House, at 6.04 p.m., adjourned until Tuesday, 1 April 1997.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS Nos. 40, 41 and 42

### No. 40 - Tuesday, 1 April 1997

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:

**Preservation of Wilson's Promontory National Park** - Seeking that the Government act to abandon the proposed developments at Wilson's Promontory National Park and ensure that the natural environment of the park, as at present, is preserved for the generations to come, bearing 339 signatures (*by Ms Garbutt*)

**Austin and Repatriation Campuses** - Seeking that the House act to prevent the loss of important health facilities to the community by the closure of the Austin campus of the North Eastern Health Care Network and the deteriorating services and resources at the Austin and Repatriation campuses, bearing 74 signatures (*by Ms Garbutt*).

Severally ordered to lie on the Table.

#### 4 **PAPERS** -

**AUSTRALIAN GRANDS PRIX (FORMULA ONE) REGULATIONS 1996** - Motion made, by leave, and question - That there be presented to this House a copy of the following documents relating to the Australian Grands Prix (Formula One) Regulations 1996:

- (a) Crown Land reservation relating to Albert Park (G.G. No. G40, 12 October 1995, page 2900);
- (b) Declarations for the race period and designated access areas for the 1996 Australian Grand Prix (G.G. No. G50, 21 December 1995, pages 3619-20);
- (c) Declaration relating to the declared area for the 1996 Australian Grand Prix (G.G. No. G3, 25 January 1996, pages 196-7);
- (d) Declarations for the declared area, race period and designated access areas for the 1997 Australian Grand Prix (G.G. No. S140, 14 December 1996, pages 1-3);
- (e) Copy of Plan numbered LEGL./95-128; and
- (f) Notice relating to the lodgement for tabling of the above documents (G.G. No. G1, 9 January 1997, page 34).

The said papers were presented by Mr Reynolds and ordered to lie on the Table.

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 2 of 1997 on the -

Office of the Regulator-General (Amendment) Bill

National Australia Bank and Bank of New Zealand Bill  
 Heritage (Amendment) Bill  
 Gaming No. 2 Bill  
 Gaming Acts (Further Amendment) Bill  
 Melbourne University (VCAH) Bill  
 Board of Studies (Amendment) Bill  
 Racing (Amendment) Bill  
 Health Services (Community Health Centres) Bill  
 Constitution and Parliamentary Committees (Amendment) Bill  
 Teaching Service (Amendment) Bill  
 Fisheries (Further Amendment) Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Alpine Resorts Commission - Report for the year ended 31 October 1996

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

Bairnsdale (City) Planning Scheme - No. L41  
 Cranbourne Planning Scheme - No. L176  
 Dimboola Planning Scheme - No. L6 Part 2  
 Doncaster and Templestowe Planning Scheme - No. L116  
 Glen Eira Planning Scheme - No. L10  
 Greater Dandenong Planning Scheme - No. L8  
 Moreland Planning Scheme - No. L29  
 Mornington Planning Scheme - No. L69  
 Narracan Planning Scheme - Nos. L58, L59  
 Pakenham Planning Scheme - No. L132  
 Werribee Planning Scheme - Nos. L93, L94  
 Yarra Ranges Planning Scheme - No. L12 Part 2

Rural Finance Act 1988 - Direction by the Treasurer to the Rural Finance Corporation to establish, operate and administer a scheme of assistance for persons affected by the outbreak of the disease anthrax in Victoria

State Insurance Office - Report for the period ended 30 September 1996.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Courts and Tribunals (General Amendment) Act 1996 - Remaining provisions on 1 April 1997 (*Gazette No. G11, 20 March 1997*)

Fisheries Act 1995 - Sections 144(2), 153A and 153B on 31 March 1997 (*Gazette No. G12, 27 March 1997*)

Fisheries (Amendment) Act 1996 - Remaining provisions on 31 March 1997 (*Gazette No. G12, 27 March 1997*)

Miscellaneous Acts (Further Omnibus Amendments) Act 1996 - Sections 56, 57, 83 and 91(6) on 27 March 1997 (*Gazette No. G12, 27 March 1997*)

Professional Boxing and Martial Arts Act 1996 - Sections 12 and 16 on 27 March 1997 (*Gazette No. G12, 27 March 1997*).

- 5 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Constitution and Parliamentary Committees (Amendment) Bill  
 Gaming Acts (Further Amendment) Bill  
 Gaming No. 2 Bill  
 National Australia Bank and Bank of New Zealand Bill.

- 6 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business be considered and completed by 4.00 p.m. on Thursday, 3 April 1997:

Melbourne University (VCAH) Bill  
 Board of Studies (Amendment) Bill  
 Teaching Service (Amendment) Bill  
 Gaming No. 2 Bill  
 Health Services (Community Health Centres) Bill  
 Racing (Amendment) Bill

(*Mr Gude*) - put and agreed to.

- 7 **MELBOURNE UNIVERSITY (VCAH) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 8 **BOARD OF STUDIES (AMENDMENT) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

*Business having been interrupted at 10.00 p.m.  
 pursuant to Sessional Orders.*

- 9 **ADJOURNMENT** - Mr Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.01 p.m.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

- 5 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Constitution and Parliamentary Committees (Amendment) Bill  
Gaming Acts (Further Amendment) Bill  
Gaming No. 2 Bill  
National Australia Bank and Bank of New Zealand Bill.

- 6 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business be considered and completed by 4.00 p.m. on Thursday, 3 April 1997:

Melbourne University (VCAH) Bill  
Board of Studies (Amendment) Bill  
Teaching Service (Amendment) Bill  
Gaming No. 2 Bill  
Health Services (Community Health Centres) Bill  
Racing (Amendment) Bill

*(Mr Gude)* - put and agreed to.

- 7 **MELBOURNE UNIVERSITY (VCAH) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 8 **BOARD OF STUDIES (AMENDMENT) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 9 **ADJOURNMENT** - Mr Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.01 p.m.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

- 6 **FIRE AUTHORITIES (AMENDMENT) BILL** - Mr McGrath (*Wimmera*), after debate, obtained leave with Mr McNamara, to bring in a Bill "*to amend the Country Fire Authority Act 1958 and the Metropolitan Fire Brigades Act 1958 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  - 7 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** - Mr McNamara obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "*to amend the Livestock Disease Control Act 1994 and the Stamps Act 1958 to make further provision for livestock compensation funds and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  - 8 **LOCAL GOVERNMENT (FURTHER AMENDMENT) BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr McNamara, to bring in a Bill "*to amend the Local Government Act 1989 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  - 9 **LAND (REVOCAION OF MISCELLANEOUS RESERVATIONS) BILL** - Mrs Tehan obtained leave, with Mr McNamara, to bring in a Bill "*to revoke several reservations over areas of land, to revoke a Crown grant in relation to one of those areas of land and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  - 10 **TEACHING SERVICE (AMENDMENT) BILL** - 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, read a third time forthwith.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
  - 11 **GAMING NO. 2 BILL** - Order read for resuming debate on question - That this Bill be now read a second time.  
Pursuant to Sessional Orders, Mr Hulls announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment circulated.  
Debate resumed on question - That this Bill be now read a second time.  
Bill read a second time and committed; considered in Committee and reported without amendment; read a third time.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*
- 12 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.55 p.m.

P. J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## No. 42 - Thursday, 3 April 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PAPERS PURSUANT TO STATUTE** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:  
     National Crime Authority - Report for the year 1995-96 (together with comments made on the Report by the Inter-Governmental Committee).
- 3 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Parliament House Completion Authority (Repeal) Bill without amendment.
- 4 **HOUSE COMMITTEE - MEMBERSHIP** - Motion made, by leave, and question - That Mr Dollis be discharged from attendance on the House Committee and that Mr Mildenhall be appointed in his stead (*Mr Gude*) - put and agreed to.
- 5 **FEDERAL - STATE RELATIONS COMMITTEE - MEMBERSHIP** - Motion made, by leave, and question - That Mr Mildenhall be discharged from attendance on the Federal-State Relations Committee and that Mr Dollis be appointed in his stead (*Mr Gude*) - put and agreed to.
- 6 **HEALTH SERVICES (COMMUNITY HEALTH CENTRES) BILL** - 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 p.m.  
pursuant to Sessional Orders.*

- 7 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 8 **HEALTH SERVICES (COMMUNITY HEALTH CENTRES) BILL** - Debate continued on question - That this Bill be now read a second time.

Question - put.

The House divided.

AYES, 50

Mr Andrighetto  
Mr Ashley  
Mr Clark  
Mr Coleman  
Mr Cooper  
Dr Dean  
Mr Dixon  
Mr Elder  
Mrs Elliott  
Mr Finn  
Mr Gude  
Mrs Henderson  
Mr Honeywood  
Mr Jasper  
Mr Jenkins

Mr John  
Mr Kennett  
Mr Kilgour  
Mr Lean  
Mr Leigh  
Mr Lupton  
Mr McArthur  
Mrs McGill  
Mr McGrath  
(*Wimmera*)  
Mr McLellan  
(*Frankston East*)  
Mr McNamara  
Mr Maclellan  
(*Pakenham*)

Mr Maughan  
Dr Naphthine  
Mr Paterson  
Mr Perrin  
Mr Perton  
Mrs Peulich  
Mr Phillips  
Mr Reynolds  
Mr Rowe  
Mr Ryan  
Mrs Shardey  
Mr Smith  
(*Glen Waverley*)  
Mr Smith  
(*Polwarth*)

Mr Spry  
Mr Steggall  
Mr Stockdale  
Mrs Tehan  
Mr Thompson  
Mr Treasure  
Mrs Wade  
Mr Wells  
  
Tellers  
Ms Burke  
Ms McCall

NOES, 30

Mr Andrianopoulos	Ms Davies	Mr Langdon	Mr Seitz
Mr Baker	Mr Dollis	Mr Leighton	Mr Sheehan
Mr Batchelor	Ms Garbutt	Mr Lim	Mr Thwaites
Mr Bracks	Ms Gillett	Mr Loney	Mrs Wilson
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mrs Campbell	Mr Hamilton	Mr Mildenhall	<i>Tellers</i>
Mr Carli	Mr Hulls	Mr Pandazopoulos	Mr Cameron
Mr Cole	Ms Kosky	Mr Savage	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 9 **RACING (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Allocation of time - Mr Deputy Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 1 April 1997 had expired.*

Question - That this Bill be now read a second and third time and be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 10 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).

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

Ordered - That the debate be adjourned until Thursday, 17 April 1997.

- 11 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

- 12 **EDUCATION (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).

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

Ordered - That the debate be adjourned until Thursday, 17 April 1997.

- 13 **FIRE AUTHORITIES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).

*Mr McGrath (Wimmera) made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*

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

Motion made and question proposed - That the debate be adjourned for two weeks (*Mr McGrath, Wimmera*).

Amendment proposed - That word "two" be omitted with the view of inserting in place thereof the (*Mr Haermeyer*) - and, after debate -

Question - That the word "four" proposed to be omitted stand part of the question - put.  
The House divided.

AYES, 54

Mr Andrighetto	Mr John	Dr Napthine	Mr Spry
Mr Ashley	Mr Kennett	Mr Paterson	Mr Stockdale
Ms Burke	Mr Kilgour	Mr Perrin	Mrs Tehan
Mr Clark	Mr Lean	Mr Perton	Mr Thompson
Mr Coleman	Mr Leigh	Mr Pescott	Mr Treasure
Mr Cooper	Mr Lupton	Mrs Peulich	Mrs Wade
Dr Dean	Mr McArthur	Mr Plowman	Mr Wells
Mr Dixon	Ms McCall	(Benambra)	
Mr Doyle	Mrs McGill	Mr Reynolds	
Mr Elder	Mr McGrath	Mr Rowe	
Mrs Elliott	(Wimmera)	Mr Ryan	
Mr Finn	Mr McLellan	Mr Savage	
Mr Gude	(Frankston East)	Mrs Shardey	
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maclellan	(Glen Waverley)	Tellers
Mr Jasper	(Pakenham)	Mr Smith	Ms Davies
Mr Jenkins	Mr Maughan	(Polwarth)	Mr Phillips

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Leighton	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Lim	
Mr Batchelor	Ms Gillett	Mr Loney	
Mr Bracks	Mr Haermeyer	Mr Micallef	
Mr Brumby	Mr Hamilton	Mr Mildenhall	
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Tellers
Mr Carli	Ms Kosky	Mr Seitz	Mr Cameron
Mr Cole	Mr Langdon	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 17 April 1997.

- 14 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 7 and 8, be postponed until later this day.
- 15 **HIRE-PURCHASE (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 17 April 1997.
- 16 **LOCAL GOVERNMENT (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).
- Mr Maclellan (Pakenham) made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 17 April 1997.

- 
- 17 **LAND (REVOCAION OF MISCELLANEOUS RESERVATIONS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 17 April 1997.
- 18 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mrs Tehan*) - put and agreed to.
- 19 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 5.53 p.m., adjourned until Tuesday, 8 April 1997.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS Nos. 43, 44 and 45

### No. 43 - Tuesday, 8 April 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
  - Constitution Act Amendment Act 1958 - Statement of function conferred on the Electoral Commissioner on 18 March 1997
  - Loy Yang B Act 1992 - State Agreement Termination Agreement, 29 March 1997
  - Parliamentary Committees Act 1968 -
    - Response of the Premier on action taken with respect to the recommendations made by the Public Accounts and Estimates Committee Report into the Public Record Office
    - Response of the Attorney-General on action taken with respect to the recommendations made by the Scrutiny of Acts and Regulations Committee Report - Review of the *Evidence Act 1958* (Vic) and Review of the Role and Appointment of Public Notaries
  - Parliamentary Contributory Superannuation Fund - Actuarial Investigation as at 30 June 1996
  - Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
    - Bairnsdale (Shire) Planning Scheme - No. L57
    - Berwick Planning Scheme - No. L90 Part 2
    - Buloke Planning Scheme - No. L3
    - Glen Eira Planning Scheme - No. L8
    - Melbourne Planning Scheme - Nos. L242, L243, L247
    - Mildura Shire Planning Scheme - No. L42
    - Phillip Island Planning Scheme - No. L69
    - Swan Hill City Planning Scheme - No. L23
    - Tambo Planning Scheme - No. L71
    - Werribee Planning Scheme - No. L79
    - Wodonga Rural City Planning Scheme - No. L16
    - Yea Planning Scheme - No. L14
  - Statutory Rules under the following Acts:
    - Building Act 1993 - S.R. No. 20
    - Fisheries Act 1968 - S.R. No. 18
    - Gas Industry Act 1994 - S.R. No. 22
    - Road Safety Act 1986 - S.R. No. 21
    - Tobacco Act 1987 - S.R. No. 19

## Subordinate Legislation Act 1994 -

Minister's exception certificate in relation to Statutory Rule No. 18

Ministers' exemption certificate in relation to Statutory Rule Nos. 19, 20.

- 4 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business be considered and completed by 4.00 p.m. on Thursday, 10 April 1997:

Gaming Acts (Further Amendment) Bill

Constitution and Parliamentary Committees (Amendment) Bill

Heritage (Amendment) Bill

Office of the Regulator-General (Amendment) Bill

National Australia Bank and Bank of New Zealand Bill

*(Mr Gude)* - put and agreed to.

- 5 **UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN** - Motion made and question - That pursuant to section 46D(1)(c) of the *Planning and Environment Act 1987*, Amendment Nos. 97, 98, 99 and 100 to Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved (*Mr Maclellan, Pakenham*).

Amendment proposed - That the expression ", 99 and 100" be omitted with the view of inserting in place thereof the expression "and 99" (*Mr Dollis*).

Motion made and question - That the debate be now adjourned (*Mr McArthur*) - put.

The House divided.

AYES, 55

Mr Ashley	Mr Kennett	Mr Perrin	Mr Steggall
Ms Burke	Mr Kilgour	Mr Perton	Mr Stockdale
Mr Clark	Mr Lean	Mr Pescott	Mrs Tehan
Mr Coleman	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Cooper	Mr Lupton	Mr Phillips	Mr Traynor
Dr Dean	Mr McArthur	Mr Plowman	Mr Treasure
Mr Dixon	Mrs McGill	( <i>Benambra</i> )	Mrs Wade
Mr Doyle	Mr McGrath	Mr Reynolds	Mr Wells
Mr Elder	( <i>Wimmera</i> )	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	( <i>Frankston East</i> )	Mr Ryan	
Mr Gude	Mr McNamara	Mrs Shardey	
Mrs Henderson	Mr Maclellan	Mr Smith	
Mr Honeywood	( <i>Pakenham</i> )	( <i>Glen Waverley</i> )	
Mr Jasper	Mr Maughan	Mr Smith	<i>Tellers</i>
Mr Jenkins	Dr Napthine	( <i>Polwarth</i> )	Mr Andrighetto
Mr John	Mr Paterson	Mr Spry	Ms McCall

NOES, 29

Mr Andrianopoulos	Mr Cunningham	Ms Kosky	Mr Sheehan
Mr Baker	Ms Davies	Mr Langdon	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Leighton	Mrs Wilson
Mr Bracks	Ms Garbutt	Mrs Maddigan	
Mr Brumby	Ms Gillett	Mr Micallef	
Mrs Campbell	Mr Haermeyer	Mr Mildenhall	<i>Tellers</i>
Mr Carli	Mr Hamilton	Mr Pandazopoulos	Mr Cameron
Mr Cole	Mr Hulls	Mr Savage	Mr Lim

And so it was resolved in the affirmative.

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

- 6 **GAMING ACTS (FURTHER AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until the Government demonstrates its commitment to a clean and reputable gaming industry" (*Mr Hulls*) - and, after debate -

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 7 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.05 p.m.

P. J. MITHEN

*Clerk of the Legislative Assembly*

S. J. PLOWMAN

*Speaker*

## No. 44 - Wednesday, 9 April 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:

**Wilson's Promontory National Park** - Seeking that Wilson's Promontory National Park be managed in accordance with the provision of the National Parks Act to conserve and protect the park in its natural condition and that proposals which will change the character of the park be abandoned, bearing 45,368 signatures (*by Mr Savage*).

Ordered to lie on the Table.

- 3 **PETITION - WILSON'S PROMONTORY NATIONAL PARK** - Motion made and question - That the petition presented by the Member for Mildura relating to the Wilson's Promontory National Park be taken into consideration tomorrow (*Ms Garbutt*) - put and agreed to.

- 4 **PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Casino (Management Agreement) Act 1993 - Authorized changes to the Drawings of the Melbourne Casino Complex pursuant to section 16(2) (5 papers).

- 5 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Education (Standards Council) Bill

Cinemia Corporation Bill

National Parks (Amendment) Bill

Interpretation of Legislation (Amendment) Bill.

- 6 **MOTOR VEHICLE INDUSTRY** - Motion made, by leave, and question proposed - That this House notes with great concern Monday's release of motor vehicle sales figures showing a dramatic 12 percent decline in the sales of locally made motor vehicles and a huge 19 percent increase in imports and accordingly calls on the Federal and State Governments to take urgent action to support the Australian motor vehicle industry to secure automotive industry jobs in Victoria (*Mr Brumby*) - and, after debate.

Amendment proposed - That the following words be added to the motion: "and condemns the Victorian Opposition, the ALP and the Trade Union movement for failing, over a period of time, to promote the importance of the automotive industry to the Australian economy and their lack of support for the thousands of employees in this important sector" (*Mr Kennett*) - and, after debate.

*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 7 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 8 **BUILDING (FURTHER AMENDMENT) BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr Gude, to bring in a Bill "to further amend the *Building Act 1993* and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 **CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BILL** - Mr Maclellan (*Pakenham*), after debate, obtained leave with Mr Gude, to bring in a Bill "to repeal the *Construction Industry Long Service Leave Act 1983* and provide for the scheme established by that Act to be administered in accordance with a trust deed by a company incorporated under the *Corporations Law* and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 **MELBOURNE LANDS (YARRA RIVER NORTH BANK) BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "to make further provision in relation to the leasing, divesting and reservation of certain land adjacent to the *Yarra River* near *Flinders Street* and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 11 **POLICE AND CORRECTIONS (AMENDMENT) BILL** - Mr McGrath (*Wimmera*), after debate, obtained leave with Mr McNamara, to bring in a Bill "to amend the *Control of Weapons Act 1990*, the *Corrections Act 1986*, the *Firearms Act 1996* and the *Police Regulation Act 1958* and other Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 
- 12 **ROAD SAFETY (DISCLOSURE OF INFORMATION) BILL** - Mr Cooper obtained leave, with Mr Gude, to bring in a Bill "*to amend the Road Safety Act 1986 and the Crimes Act 1958 with respect to the disclosure of information from the records of the Roads Corporation and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **ANGLICAN WELFARE AGENCY BILL** - Dr Napthine obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "*relating to the Anglican Welfare Agency and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **STATE TAXATION ACTS (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to amend the Financial Institutions Duty Act 1982, the Land Tax Act 1958, the Pay-roll Tax Act 1971, the Stamps Act 1958 and the Taxation (Reciprocal Powers) Act 1987 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **ELECTRICITY INDUSTRY (LOY YANG B) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to facilitate the sale of the Loy Yang B power station, to amend the Electricity Industry Act 1993, the State Electricity Commission Act 1958 and the Loy Yang B Act 1992 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **TAXATION ADMINISTRATION BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to make general provision for the administration and enforcement of taxation laws, to make consequential amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 **GAMING ACTS (FURTHER AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until the Government demonstrates its commitment to a clean and reputable gaming industry"; debate resumed.

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

The House divided.

AYES, 53

Mr Andrighetto	Mr Kennett	Mr Maughan	Mr Spry
Mr Ashley	Mr Kilgour	Dr Naphthine	Mr Steggall
Ms Burke	Mr Lean	Mr Paterson	Mrs Tehan
Mr Clark	Mr Leigh	Mr Perrin	Mr Thompson
Mr Coleman	Mr Lupton	Mr Perton	Mr Traynor
Mr Cooper	Mr McArthur	Mr Phillips	Mrs Wade
Dr Dean	Ms McCall	Mr Plowman	Mr Wells
Mr Dixon	Mrs McGill	(Benambra)	
Mr Doyle	Mr McGrath	Mr Reynolds	
Mr Elder	(Warrnambool)	Mr Richardson	
Mrs Elliott	Mr McGrath	Mr Rowe	
Mr Finn	(Wimmera)	Mr Ryan	
Mr Gude	Mr McLellan	Mrs Shardey	
Mrs Henderson	(Frankston East)	Mr Smith	
Mr Jasper	Mr McNamara	(Glen Waverley)	Tellers
Mr Jenkins	Mr Maclellan	Mr Smith	Mr Peulich
Mr John	(Pakenham)	(Polwarth)	Mr Treasure

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Langdon	Mr Thwaites
Mr Baker	Ms Davies	Mr Leighton	Mrs Wilson
Mr Batchelor	Mr Dollis	Mr Lim	
Mr Bracks	Ms Garbutt	Mr Loney	
Mr Brumby	Mr Haermeyer	Mrs Maddigan	
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Tellers
Mr Carli	Mr Hulls	Mr Pandazopoulos	Mr Cameron
Mr Cole	Ms Kosky	Mr Sheehan	Mr Savage

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

18 **CONSTITUTION AND PARLIAMENTARY COMMITTEES (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Kennett announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

Pursuant to Sessional Orders, Mr Batchelor announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment circulated.

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

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported with an amendment and with an amended long title, which title is as follows:

*"A Bill to amend the Constitution Act 1975 and the Parliamentary Committees Act 1968 and for other purposes"*

Bill, as amended, considered and amendments agreed to; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 19 **HERITAGE (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 20 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.59 p.m.

P. J. MITHEN

*Clerk of the Legislative Assembly*

S. J. PLOWMAN

*Speaker*

## No. 45 - Thursday, 10 April 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Student Transport Concessions** - Seeking that student transport concessions be reviewed in light of principles of access to and equity in higher education, bearing 1044 signatures (*by Ms Kosky*)
  - Police Presence in Kangaroo Flat** - Seeking that there be an operational police station open in Kangaroo Flat to provide police services, especially during the day and evening period, bearing 1058 signatures (*by Mr Cameron*)
  - State School System** - Seeking that action will be taken to harness the assault on the State school system by school closures, mergers and budget cuts and therefore protect the rights of our children for a free education, bearing 258 signatures (*by Mr Bracks*).
- Severally ordered to lie on the Table.
- 3 **PETITION - STUDENT TRANSPORT CONCESSIONS** - Motion made and question - That the petition presented by the Member for Altona relating to student transport concessions be taken into consideration tomorrow (*Mr Batchelor*) - put and agreed to.
- 4 **PAPER PURSUANT TO STATUTE** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
- Auditor-General - Special Report No. 48 - Major Civic Projects: Work in Progress - Ordered to be printed.

5 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Evidence (Audio Visual and Audio Linking) Bill  
Fisheries (Further Amendment) Bill.

6 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 22 April 1997 (*Mr Maclellan, Pakenham*) - put and agreed to.

7 **UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN** - Order read for resuming debate on question - That pursuant to section 46D(1)(c) of the *Planning and Environment Act 1987*, Amendment Nos. 97, 98, 99 and 100 to Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved - *and on the amendment* - That the expression ",99 and 100" be omitted with the view of inserting in place thereof the expression "and 99"; debate resumed.

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

The House divided.

AYES, 53

Mr Andrighetto	Mr Lean	Mr Perton	Mrs Tehan
Mr Ashley	Mr Leigh	Mr Pescott	Mr Thompson
Mr Clark	Mr Lupton	Mrs Peulich	Mr Traynor
Mr Coleman	Mr McArthur	Mr Phillips	Mr Treasure
Mr Cooper	Ms McCall	Mr Plowman	Mrs Wade
Dr Dean	Mrs McGill	( <i>Benambra</i> )	Mr Wells
Mr Dixon	Mr McGrath	Mr Reynolds	
Mr Doyle	( <i>Wimmera</i> )	Mr Richardson	
Mr Elder	Mr McLellan	Mr Rowe	
Mrs Elliott	( <i>Frankston East</i> )	Mr Ryan	
Mr Finn	Mr McNamara	Mr Savage	
Mr Gude	Mr Maclellan	Mr Smith	
Mrs Henderson	( <i>Pakenham</i> )	( <i>Glen Waverley</i> )	
Mr Jasper	Mr Maughan	Mr Smith	<i>Tellers</i>
Mr Jenkins	Dr Napthine	( <i>Polwarth</i> )	Ms Burke
Mr John	Mr Paterson	Mr Spry	Mr Shardey
Mr Kilgour	Mr Perrin	Mr Steggall	

NOES, 27

Mr Baker	Mr Dollis	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mrs Campbell	Mr Hamilton	Mr Mildenhall	
Mr Carli	Mr Hulls	Mr Pandazopoulos	<i>Tellers</i>
Mr Cunningham	Ms Kosky	Mr Sheehan	Mr Andrianopoulos
Ms Davies	Mr Leighton	Mr Thwaites	Mr Cameron

And so it was resolved in the affirmative.

Original motion - put and agreed to.

8 **OFFICE OF THE REGULATOR-GENERAL (AMENDMENT) BILL** - 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 place thereof the words 'this House refuses to read this Bill a second time until the Government demonstrates its commitment to providing appropriate and adequate information on its privatisation program to the Parliament and people of Victoria by - (a) bringing before the Parliament a set of guidelines relating to "Commercial-in-Confidence", approved by the Auditor-General, that will ensure that this mechanism is no longer used as the major pretext for refusing information to the Parliament and the people of Victoria; and (b) introducing in Victoria a system of supplying summary contracts to Parliament prepared by the Auditor-General, and containing all details of the contract other than those details determined by the Auditor-General to be "Commercial-in-Confidence", similar to those operating in both South Australia and New South Wales' (*Mr Loney*) - and, after debate -

*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

9 **QUESTIONS** - (Pursuant to Standing Order No. 124).

*Member named and suspended* - The Honourable Member for Yan Yean (*Mr Haermeyer*) having been named by Mr Speaker for disregarding the authority of the Chair -

Motion made and question - That the Honourable Member for Yan Yean (*Mr Haermeyer*) be suspended from the service of the House (*Mr Gude*) - put.

The House divided.

AYES, 54

Mr Andrighetto	Mr Kilgour	Mr Paterson	Mr Steggall
Mr Ashley	Mr Lean	Mr Perrin	Mr Stockdale
Ms Burke	Mr Leigh	Mr Perton	Mrs Tehan
Mr Clark	Mr Lupton	Mr Pescott	Mr Thompson
Mr Coleman	Mr McArthur	Mr Phillips	Mr Traynor
Mr Cooper	Ms McCall	Mr Plowman	Mr Treasure
Dr Dean	Mr McGrath	( <i>Benambra</i> )	Mrs Wade
Mr Dixon	( <i>Warrnambool</i> )	Mr Reynolds	Mr Wells
Mr Doyle	Mr McGrath	Mr Richardson	
Mr Elder	( <i>Wimmera</i> )	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	( <i>Frankston East</i> )	Mrs Shardey	
Mr Gude	Mr McNamara	Mr Smith	
Mr Jasper	Mr Maclellan	( <i>Glen Waverley</i> )	
Mr Jenkins	( <i>Pakenham</i> )	Mr Smith	<i>Tellers</i>
Mr John	Mr Maughan	( <i>Polwarth</i> )	Mrs McGill
Mr Kennett	Dr Napthine	Mr Spry	Mrs Peulich

## NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Mr Dollis	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Micallef	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Mr Cameron
Mr Carli	Mr Hulls	Mr Pandazopoulos	Mr Savage
Mr Cole	Ms Kosky	Mr Sheehan	

And so it was resolved in the affirmative.

Thereupon Mr Haermeyer withdrew from the Chamber.

- 10 **OFFICE OF THE REGULATOR-GENERAL (AMENDMENT) BILL** - 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 place thereof the words 'this House refuses to read this Bill a second time until the Government demonstrates its commitment to providing appropriate and adequate information on its privatisation program to the Parliament and people of Victoria by - (a) bringing before the Parliament a set of guidelines relating to "Commercial-in-Confidence", approved by the Auditor-General, that will ensure that this mechanism is no longer used as the major pretext for refusing information to the Parliament and the people of Victoria; and (b) introducing in Victoria a system of supplying summary contracts to Parliament prepared by the Auditor-General, and containing all details of the contract other than those details determined by the Auditor-General to be "Commercial-in-Confidence", similar to those operating in both South Australia and New South Wales'.

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

The House divided.

## AYES, 52

Mr Andrighetto	Mr Kennett	Mr Paterson	Mr Steggall
Mr Ashley	Mr Kilgour	Mr Perrin	Mr Stockdale
Ms Burke	Mr Leigh	Mr Perton	Mrs Tehan
Mr Clark	Mr Lupton	Mr Pescott	Mr Thompson
Mr Coleman	Mr McArthur	Mrs Peulich	Mr Traynor
Mr Cooper	Ms McCall	Mr Phillips	Mr Treasure
Dr Dean	Mrs McGill	Mr Plowman	Mrs Wade
Mr Dixon	Mr McGrath	( <i>Benambra</i> )	Mr Wells
Mr Doyle	Mr McLellan	Mr Reynolds	
Mr Elder	( <i>Frankston East</i> )	Mr Rowe	
Mrs Elliott	Mr McNamara	Mr Ryan	
Mr Finn	Mr Maclellan	Mr Smith	
Mr Gude	( <i>Pakenham</i> )	( <i>Glen Waverley</i> )	
Mr Jasper	Mr Maughan	Mr Smith	<i>Tellers</i>
Mr Jenkins	Dr Naphtine	( <i>Polwarth</i> )	Mr Lean
Mr John		Mr Spry	Mrs Shardey

NOES, 25

Mr Andrianopoulos	Mr Dollis	Mr Loney	Mr Thwaites
Mr Baker	Ms Garbutt	Mrs Maddigan	Mrs Wilson
Mr Batchelor	Ms Gillett	Mr Micallef	
Mr Bracks	Mr Hamilton	Mr Mildenhall	
Mr Brumby	Mr Hulls	Mr Pandazopoulos	<i>Tellers</i>
Mrs Campbell	Ms Kosky	Mr Savage	Mr Cameron
Mr Carli	Mr Leighton	Mr Sheehan	Mr Lim

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 11 **NATIONAL AUSTRALIA BANK AND BANK OF NEW ZEALAND BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Mr Acting Speaker ruled the Bill to be a Private Bill.

Motion made and question - That this Bill be treated as a Public Bill (*Mr Stockdale*) - put and agreed to.

Mr Acting Speaker advised the House that a deposit of \$1,000 had been paid to the Department of the Legislative Assembly, pursuant to Standing Order 168(d) to meet the expenses involved in the passage of the Bill.

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

*Allocation of time - Mr Acting Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 8 April 1997 had expired.*

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

Question - That this Bill be now read a third time and be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 12 **HERITAGE (AMENDMENT) BILL** - 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 and be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 13 **BUILDING (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).

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

Ordered - That the debate be adjourned until Thursday, 24 April 1997.

- 14 **MELBOURNE LANDS (YARRA RIVER NORTH BANK) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).

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

Ordered - That the debate be adjourned until Thursday, 24 April 1997.

- 15 **POLICE AND CORRECTIONS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).

*Mr McGrath (Wimmera) made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*

Motion made and question - That the debate be now adjourned (*Mrs Campbell*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 24 April 1997.

- 16 **ROAD SAFETY (DISCLOSURE OF INFORMATION) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Cooper*).

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

Ordered - That the debate be adjourned until Thursday, 24 April 1997.

- 17 **ANGLICAN WELFARE AGENCY BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).

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

Ordered - That the debate be adjourned until Thursday, 24 April 1997.

- 18 **STATE TAXATION ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).

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

Ordered - That the debate be adjourned until Thursday, 24 April 1997.

- 19 **ELECTRICITY INDUSTRY (LOY YANG B) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).

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

Motion made and question proposed - That the debate be adjourned until Tuesday, 22 April 1997 (*Mr Stockdale*).

Amendment proposed - That the expression "Tuesday, 22" be omitted with the view of inserting in place thereof the expression "Thursday, 24" (*Mr Loney*) - and, after debate -

Motion made and question - That the question be now put (*Mr Gude*) - put.

The House divided.

AYES, 48

Mr Andrighetto	Mr Lean	Dr Naphthine	Mr Steggall
Mr Ashley	Mr Leigh	Mr Paterson	Mr Stockdale
Mr Clark	Mr Lupton	Mr Perrin	Mrs Tehan
Mr Coleman	Mr McArthur	Mr Perton	Mr Thompson
Mr Cooper	Ms McCall	Mr Pescott	Mr Traynor
Dr Dean	Mrs McGill	Mrs Peulich	Mr Treasure
Mr Dixon	Mr McGrath	Mr Phillips	Mrs Wade
Mr Doyle	(Wimmera)	Mr Reynolds	Mr Wells
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Gude	(Frankston East)	Mr Ryan	
Mr Jasper	Mr McNamara	Mrs Shardey	
Mr Jenkins	Mr Maclellan	Mr Smith	<i>Tellers</i>
Mr John	(Pakenham)	(Glen Waverley)	Ms Burke
Mr Kilgour	Mr Maughan	Mr Spry	Mr Finn

NOES, 20

Mr Andrianopoulos	Mr Cunningham	Mrs Maddigan	
Mr Batchelor	Ms Garbutt	Mr Micallif	
Mr Bracks	Mr Hamilton	Mr Mildenhall	
Mr Brumby	Mr Hulls	Mr Pandazopoulos	<i>Tellers</i>
Mr Cameron	Ms Kosky	Mr Thwaites	Ms Gillett
Mrs Campbell	Mr Loney	Mrs Wilson	Mr Lim

And so it was resolved in the affirmative.

Question - That the expression proposed to be omitted stand part of the question - accordingly put.

The House divided.

AYES, 48

Mr Andrighetto	Mr Kilgour	Dr Naphthine	Mr Thompson
Mr Ashley	Mr Lean	Mr Paterson	Mr Traynor
Ms Burke	Mr Leigh	Mr Perrin	Mr Treasure
Mr Clark	Mr Lupton	Mr Perton	Mrs Wade
Mr Coleman	Mr McArthur	Mr Pescott	Mr Wells
Mr Cooper	Ms McCall	Mrs Peulich	
Dr Dean	Mrs McGill	Mr Phillips	
Mr Dixon	Mr McGrath	Mr Reynolds	
Mr Doyle	(Wimmera)	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	(Frankston East)	Mr Smith	
Mr Gude	Mr McNamara	(Glen Waverley)	
Mr Jasper	Mr Maclellan	Mr Steggall	<i>Tellers</i>
Mr Jenkins	(Pakenham)	Mr Stockdale	Mrs Shardey
Mr John	Mr Maughan	Mrs Tehan	Mr Spry

## NOES, 20

Mr Andrianopoulos	Ms Garbutt	Mrs Maddigan	
Mr Batchelor	Ms Gillett	Mr Micallef	
Mr Bracks	Mr Hamilton	Mr Mildenhall	
Mr Brumby	Mr Hulls	Mr Pandazopoulos	<i>Tellers</i>
Mrs Campbell	Ms Kosky	Mr Thwaites	Mr Cameron
Mr Cunningham	Mr Loney	Mrs Wilson	Mr Lim

And so it was resolved in the affirmative.

Question - That the debate be adjourned until Tuesday, 22 April 1997 - put.

The House divided.

## AYES, 48

Mr Andrighetto	Mr Kilgour	Mr Paterson	Mr Stockdale
Mr Ashley	Mr Lean	Mr Perrin	Mrs Tehan
Ms Burke	Mr Leigh	Mr Perton	Mr Thompson
Mr Clark	Mr Lupton	Mr Pescott	Mr Traynor
Mr Coleman	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Cooper	Ms McCall	Mr Phillips	Mrs Wade
Dr Dean	Mrs McGill	Mr Reynolds	Mr Wells
Mr Doyle	Mr McGrath	Mr Rowe	
Mrs Elliott	<i>(Wimmera)</i>	Mr Ryan	
Mr Finn	Mr McNamara	Mrs Shardey	<i>Tellers</i>
Mr Gude	Mr Maclellan	Mr Smith	Mr Dixon
Mr Jasper	<i>(Pakenham)</i>	<i>(Glen Waverley)</i>	Mr McLellan
Mr Jenkins	Mr Maughan	Mr Spry	Dr Frankston East
Mr John	Dr Napthine	Mr Steggall	

## NOES, 20

Mr Andrianopoulos	Mr Cunningham	Mr Loney	
Mr Batchelor	Ms Garbutt	Mr Micallef	
Mr Bracks	Ms Gillett	Mr Mildenhall	
Mr Brumby	Mr Hamilton	Mr Pandazopoulos	<i>Tellers</i>
Mr Cameron	Mr Hulls	Mr Thwaites	Mr Lim
Mrs Campbell	Ms Kosky	Mrs Wilson	Mrs Maddigan

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Tuesday, 22 April 1997.

- 20 TAXATION ADMINISTRATION BILL - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).

*Mr Stockdale made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*

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

Ordered - That the debate be adjourned until Thursday, 24 April 1997.

- 
- 21 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 22 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 7.22 p.m., adjourned until Tuesday, 22 April 1997.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS Nos. 46, 47 and 48

### No. 46 - Tuesday, 22 April 1997

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:

**Bluelake Property** - Seeking that the House - (a) support the establishment of an independent committee of review to examine the proposed acquisition of the Bluelake property situated in the Plenty Gorge parklands proximity by Melbourne Parks and Waterways; and (b) oppose any use of Bluelake for waste disposal/landfill, bearing 3,816 signatures (*by Mr Phillips*)

**Funding for Lake Wellington Rivers Authority** - Seeking that the Minister for Agriculture and Resources ensures that the Lake Wellington Rivers Authority is properly funded through budget appropriation, bearing 58 signatures (*by Mr Hamilton*).

Severally ordered to lie on the Table.

#### 4 **PAPERS** -

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 3 of 1997 on the -

Land (Revocation of Miscellaneous Reservations) Bill  
Hire-Purchase (Amendment) Bill  
Education (Further Amendment) Bill  
Livestock Disease Control (Amendment) Bill  
Fire Authorities (Amendment) Bill  
Local Government (Further Amendment) Bill  
Melbourne Lands (Yarra River North Bank) Bill  
Building (Further Amendment) Bill  
Police and Corrections (Amendment) Bill  
Road Safety (Disclosure of Information) Bill  
Anglican Welfare Agency Bill  
State Taxation Acts (Amendment) Bill  
Electricity Industry (Loy Yang B) Bill  
Taxation Administration Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Bairnsdale Regional Waste Management Group - Financial Statement for the period ended 30 June 1995

Ballarat School of Mines and Industries - Report for the year 1996

Barton Institute of TAFE - Report for the year 1996

Bendigo Regional Institute of TAFE - Report for the year 1996 (two papers)

Box Hill Institute of TAFE - Report for the year 1996

Casey Institute of TAFE - Report for the year 1996

Central Gippsland Institute of TAFE - Report for the year 1996

Council of Adult Education - Report for the year 1996

Crown Land (Reserves) Act 1978 - Section 17DA Orders granting, under Section 17D, leases in the -

City of Bayside

City of Port Phillip (two papers)

Eastern Regional Waste Management Group - Report for the period ended 30 June 1995

East Gippsland Institute of TAFE - Report for the year 1996

Financial Management Act 1994 - Report of the Minister for Tertiary Education and Training that he had received the 1996 Annual Report of the Driver Education Centre of Australia Ltd. (DECA)

Gordon Institute of TAFE - Report for the year 1996

Goulburn Ovens Institute of TAFE - Report for the year 1996

Holmesglen Institute of TAFE - Report for the year 1996

Interpretation of Legislation Act 1984 -

Notice under section 32(3)(a) in relation to Statutory Rule No. 161/1996

Notice under section 32(4)(a) in relation to Amendment No. 10 of the Building Code of Australia

John Batman Institute of TAFE - Report for the year 1996

Kangan Institute of TAFE - Report for the year 1996

Melbourne Institute of Textiles - Report for the year 1996

Northern Melbourne Institute of TAFE - Report for the year 1996

Northern Regional Waste Management Group - Financial Statement for the period ended 30 June 1995

Outer Eastern Institute of TAFE - Report for the year 1996

Peninsula Institute of TAFE - Report for the year 1996

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

All Planning Schemes - No. SL6

Bairnsdale (Shire) Planning Scheme - No. L58

Ballarat Planning Scheme - No. L23

Campaspe Planning Scheme - No. L14

Doncaster and Templestowe Planning Scheme - No. L107

Glen Eira Planning Scheme - No. L8

Greater Dandenong Planning Scheme - No. L5  
 Greater Geelong Planning Scheme - Nos. L173, R133, R161, R172  
 Hepburn Planning Scheme - No. L2  
 Hume Planning Scheme - No. L1  
 Kingston Planning Scheme - No. L23  
 Knox Planning Scheme - Nos. L117, L121, L122, L125, L126, L128  
 Maroondah Planning Scheme - Nos. L9, L10  
 Melbourne Planning Scheme - No. L240  
 Moonee Valley Planning Scheme - No. L28  
 Pakenham Planning Scheme - No. L133  
 Phillip Island Planning Scheme - No. L71  
 Sherbrooke Planning Scheme - No. L103  
 Swan Hill Shire Planning Scheme - No. L25  
 Warrnambool Planning Scheme - Nos. L19, L20  
 Whitehorse Planning Scheme - No. L18  
 Whittlesea Planning Scheme - No. L145  
 Yarra Ranges Planning Scheme - No. L47

South West Institute of TAFE - Report for the year 1996 (two papers)

Statutory Rules under the following Acts:

Casino Control Act 1991 - S.R. No. 27  
 Cemeteries Act 1958 - S.R. No. 29  
 Dentists Act 1972 - S.R. No. 28  
 Drugs, Poisons and Controlled Substances Act 1981 - S.R. No. 26  
 Equipment (Public Safety) Act 1994 - S.R. No. 24  
 Occupational Health and Safety Act 1985 - S.R. No. 25  
 Second-Hand Dealers and Pawnbrokers Act 1989 - S.R. No. 23

Subordinate Legislation Act 1994 -

Minister's exception certificate in relation to Statutory Rule No. 26  
 Ministers' exemption certificates in relation to Statutory Rule Nos. 23, 28, 29

Sunraysia Institute of TAFE - Report for the year 1996

Western Melbourne Institute of TAFE - Report for the year 1996

Western Regional Waste Management Group - Report for the period ended 30 June 1995

William Angliss Institute of TAFE - Report for the year 1996

Wimmera Institute of TAFE - Report for the year 1996

Wodonga Institute of TAFE - Report for the year 1996.

5 **SUSPENSION OF SESSIONAL ORDERS** - Motion made, by leave, and question - That Sessional Order No. 3 be suspended so far as to allow that the time for asking oral questions without notice be 10.00 am on Thursday, 24 April 1997 (*Mr Gude*) - put and agreed to.

6 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

On 15 April 1997

Parliament House Completion Authority (Repeal) Bill

On 22 April 1997

Cinemia Corporation Bill  
 Education (Standards Council) Bill  
 Evidence (Audio Visual and Audio Linking) Bill  
 Fisheries (Further Amendment) Bill  
 Interpretation of Legislation (Amendment) Bill  
 National Parks (Amendment) Bill.

- 7 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Building (Further Amendment) Bill  
 Electricity Industry (Loy Yang B) Bill  
 Fire Authorities (Amendment) Bill  
 Land (Revocation of Miscellaneous Reservations) Bill  
 Livestock Disease Control (Amendment) Bill  
 Local Government (Further Amendment) Bill  
 Melbourne Lands (Yarra River North Bank) Bill  
 Police and Corrections (Amendment) Bill  
 State Taxation Acts (Amendment) Bill  
 Taxation Administration Bill.

- 8 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question proposed - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 11.00 pm, Wednesday, 23 April 1997:

Electricity Industry (Loy Yang B) Bill  
 Land (Revocation of Miscellaneous Reservations) Bill  
 Education (Further Amendment) Bill  
 Livestock Disease Control (Amendment) Bill  
 Fire Authorities (Amendment) Bill  
 Hire-Purchase (Amendment) Bill  
 Local Government (Further Amendment) Bill

*(Mr Gude)* - after debate, put.

The House divided.

AYES, 50

Mr Ashley	Mr Lean	Mrs Peulich	Mr Stockdale
Mr Clark	Mr Leigh	Mr Phillips	Mrs Tehan
Mr Coleman	Mr Lupton	Mr Plowman	Mr Thompson
Mr Dixon	Mr McArthur	(Benambra)	Mr Traynor
Mr Doyle	Ms McCall	Mr Reynolds	Mr Treasure
Mr Elder	Mrs McGill	Mr Richardson	Mrs Wade
Mrs Elliott	Mr McLellan	Mr Rowe	Mr Wells
Mr Finn	(Frankston East)	Mr Ryan	
Mrs Henderson	Mr McNamara	Mrs Shardey	
Mr Honeywood	Mr Maughan	Mr Smith	
Mr Jasper	Dr Napthine	(Glen Waverley)	
Mr Jenkins	Mr Paterson	Mr Smith	
Mr John	Mr Perrin	(Polwarth)	Tellers
Mr Kennett	Mr Perton	Mr Spry	Mr Andrighetto
Mr Kilgour	Mr Pescott	Mr Steggall	Ms Burke

NOES, 27

Mr Andrianopoulos	Mr Cole	Ms Kosky	Mrs Wilson
Mr Baker	Mr Cunningham	Mr Leighton	
Mr Batchelor	Mr Dollis	Mr Lim	
Mr Bracks	Ms Garbutt	Mr Loney	
Mr Brumby	Ms Gillett	Mr Micallef	
Mr Cameron	Mr Haermeyer	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hamilton	Mr Sheehan	Ms Davies
Mr Carli	Mr Hulls	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

- 9 **ELECTRICITY INDUSTRY (LOY YANG B) BILL** - 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 Burke*) - put and agreed to.  
Ordered - That the debate be adjourned until later this day.
- 10 **LAND (REVOCATION OF MISCELLANEOUS RESERVATIONS) BILL** - 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, read a third time forthwith.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 11 **EDUCATION (FURTHER AMENDMENT) BILL** - 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, read a third time forthwith.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

- 13 **FIRE AUTHORITIES (AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until - (a) thorough consultation has occurred with the Country Fire Authority and the Metropolitan Fire Brigades Board employees and their representatives, the insurance industry, the Property Council and local government; (b) the Government clearly rejects the privatization or outsourcing of duties carried out by operational fire fighters within the Authority and the Board; (c) the Government initiates a full and independent public inquiry into the privatization of emergency service communications and dispatch to assess the capacity of the Government to properly manage outsourcing and privatization projects" (*Mr Haermeyer*).

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Mr Gude*) - put and agreed to.

Debate continued on question - That this Bill be now read a second time.

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

The House divided.

AYES, 50

Mr Andrighetto	Mr John	Mr Paterson	Mr Steggall
Mr Ashley	Mr Kilgour	Mr Perrin	Mr Stockdale
Ms Burke	Mr Lean	Mr Pescott	Mrs Tehan
Mr Clark	Mr Lupton	Mrs Peulich	Mr Traynor
Mr Coleman	Mr McArthur	Mr Phillips	Mr Treasure
Mr Cooper	Ms McCall	Mr Plowman	Mrs Wade
Mr Dixon	Mrs McGill	( <i>Benambra</i> )	
Mr Doyle	Mr McGrath	Mr Richardson	
Mr Elder	( <i>Warrnambool</i> )	Mr Rowe	
Mrs Elliott	Mr McGrath	Mr Ryan	
Mr Finn	( <i>Wimmera</i> )	Mrs Shardey	
Mr Gude	Mr McLellan	Mr Smith	
Mrs Henderson	( <i>Frankston East</i> )	( <i>Glen Waverley</i> )	
Mr Honeywood	Mr McNamara	Mr Smith	<i>Tellers</i>
Mr Jasper	Mr Maughan	( <i>Polwarth</i> )	Mr Thompson
Mr Jenkins	Dr Napthine	Mr Spry	Mr Wells

## NOES, 24

Mr Andrianopoulos	Mr Cole	Ms Kosky	Mrs Wilson
Mr Baker	Mr Cunningham	Mr Leighton	
Mr Batchelor	Mr Dollis	Mr Lim	
Mr Bracks	Ms Garbutt	Mr Loney	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Sheehan	Mr Cameron
Mr Carli	Mr Hulls	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

14 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Melbourne University (VCAH) Bill  
 National Australia Bank and Bank of New Zealand Bill  
 Board of Studies (Amendment) Bill  
 Teaching Service (Amendment) Bill  
 Racing (Amendment) Bill.

15 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.

16 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.

And the House, at 11.59 p.m., adjourned until tomorrow.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 47 - Wednesday, 23 April 1997

1 Mr Speaker took the Chair and read the Prayer.

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

**National Gallery of Victoria** - Seeking that - (a) any alterations to the National Gallery of Victoria do not alter the architectural concepts of the building in any fundamental way; and (b) the water-wall, Great Hall and the Leonard French designed coloured glass ceiling be preserved intact and in their present locations, bearing 6,453 signatures (*by Mrs Maddigan*)

**Geelong International Watersports Complex** - Seeking that the Minister for Planning determines that a full Environmental Effects Statement be completed before the City of Greater Geelong proceeds to the next stage of the Geelong International Watersports Complex Feasibility Study project, bearing 281 signatures (*by Mr Loney*)

**Hostel Lease - Mt Buller** - Seeking that the Government acts immediately to ensure that the Youth Hostels Association of Victoria is granted a lease for the hostel occupying site 2 on Mt Buller, bearing 2 signatures (*by Mr Smith, Glen Waverley*).

Severally ordered to lie on the Table.

- 3 **PETITION - NATIONAL GALLERY OF VICTORIA** - Motion made and question - That the petition presented by the Member for Essendon relating to the National Gallery of Victoria be taken into consideration tomorrow (*Mrs Maddigan*) - put and agreed to.
- 4 **PAPER PURSUANT TO STATUTE** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:  
Auditor-General - Special Report No. 49 - Metropolitan Ambulance Service: Contractual and outsourcing practices - Ordered to be printed.
- 5 **STOCK FEED CRISIS IN GIPPSLAND** - Motion made, by leave, and question proposed - That this House now discuss a motion of major public importance, namely - the need for a prompt, effective and compassionate Government response to the stock feed crisis in Gippsland which is so serious that it - (a) has prompted fodder industry leaders to declare a critical fodder shortage; (b) sees farmers currently forced to dry off cows early; and (c) has caused the cost of hay and its cartage to skyrocket, consequently requiring the recognition by Government of the extraordinary efforts of dairy farmers and country people in the face of the extreme hardship brought about by exceptional climatic conditions and further, calls on the State Government to make urgent submission to the Federal Government for drought relief under the exceptional circumstances provision of the National drought policy (*Mr Brumby*) - and, after debate -

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House - (a) in recognition of the stock feed shortage with difficult seasonal conditions in Gippsland, acknowledges the support the Government has provided to farmers which include - (i) grants of up to \$5000 are available to assist individuals to employ an advisor; (ii) a joint United Dairy Farmers of Victoria/Departmental technical and support group to plan local advisory and support activities; (iii) four major seminars sponsored by the Department, UDV and dairy companies to be held over the next two weeks; and (b) believes that the present conditions, whilst very difficult are nowhere near a drought as defined by current Commonwealth/State criteria" (*Mr Andrighetto*).

*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 7 **NATIONAL ELECTRICITY (VICTORIA) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "to make provision for the operation of a national electricity market and for other purposes"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.

- 8 **GAS INDUSTRY (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to amend the Gas Industry Act 1994 and the State Electricity Commission Act 1958, to repeal the Energy Consumption Levy Act 1982 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 9 **ELECTRICITY INDUSTRY (MISCELLANEOUS AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to provide for further miscellaneous amendment of the Electricity Industry Act 1993, to amend the State Electricity Commission Act 1958 and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 10 **FINANCIAL MANAGEMENT (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to make certain amendments to the Financial Management Act 1994 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 11 **SUPERANNUATION ACTS (MISCELLANEOUS AMENDMENT) BILL** - Mr Stockdale after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Local Authorities Superannuation Act 1988, the Port of Melbourne Authority Act 1958, the Public Sector Superannuation (Administration) Act 1993, the State Employees Retirement Benefits Act 1979, the State Superannuation Act 1988, the Superannuation (Portability) Act 1989, the Transport Superannuation Act 1988 and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 12 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL** - Mr McNamara obtained leave, with Mr Gude, to bring in a Bill "*to amend the Drugs, Poisons and Controlled Substances Act 1981 to exempt certain processed products from the operation of that Act, to authorise the cultivation and processing of low-THC cannabis for certain commercial and research purposes and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 13 **FRIENDLY SOCIETIES (VICTORIA) (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to amend the Friendly Societies (Victoria) Act 1996 and the Financial Institutions (Victoria) Act 1992 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 14 **SENTENCING AND OTHER ACTS (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to amend the Sentencing Act 1991, the Drugs, Poisons and Controlled Substances Act 1981, the Bail Act 1977, the Children and Young Persons Act 1989, the Crimes Act 1958, the Magistrates' Court Act 1989 and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 15 **LAW AND JUSTICE LEGISLATION AMENDMENT BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Crimes Act 1958, the Crimes (Family Violence) Act 1987, the Legal Aid Act 1978, the Legal Aid Commission (Amendment) Act 1989, the Legal Practice Act 1996, the Magistrates' Court Act 1989, the Public Prosecutions Act 1994, the Road Safety Act 1986, the Second-Hand Dealers and Pawnbrokers Act 1989 and the Summary Offences Act 1966 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.

- 16 **MELBOURNE CITY LINK (FURTHER AMENDMENT) BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr Gude, to bring in a Bill "to further amend the *Melbourne City Link Act 1995*, to make provision for the *Exhibition Street Extension Project* and for other purposes"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 17 **MISCELLANEOUS ACTS (OMNIBUS NO. 3) BILL** - Dr Napthine obtained leave, with Mr Gude, to bring in a Bill "to amend the *Accident Compensation Act 1985*, the *Accident Compensation Act (Further Amendment) Act 1996*, the *Borrowing and Investment Powers Act 1987*, the *Cancer Act 1958*, the *Dried Fruit Acts 1958*, the *Melbourne and Metropolitan Board of Works Act 1958*, the *Parliamentary Officers Act 1975*, the *Pharmacists Act 1974*, the *Plant Health and Plant Products Act 1995*, the *State Owned Enterprises Act 1992*, the *Water Industry Act 1994* and the *Zoological Parks and Gardens Act 1995* and for other purposes"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 18 **ELECTRICITY INDUSTRY (LOY YANG B) BILL** - Motion made and question - That it be an instruction to the Committee that they have power to consider a New Clause to the Electricity Industry (Loy Yang B) Bill to provide for a new Part to be inserted in the Principal Act relating to the transfer of certain property and staff of Loy Yang Power Ltd (*Mr Stockdale*) - put and agreed to.
- 19 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Electricity Industry (Loy Yang B) Bill.
- 20 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to provide for the suspension of the sheep slaughter program until such time as a full independent cost benefit analysis of the eradication program has been conducted" (*Mr Brumby*) - and, after debate -  
 Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.  
 Ordered - That the debate be adjourned until later this day.
- 21 **ELECTRICITY INDUSTRY (LOY YANG B) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.  
 Pursuant to Sessional Orders, Mr Stockdale announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.  
 Debate resumed on question - That this Bill be now read a second time.  
 Question - put.

The House divided.

AYES, 55

Mr Andrighetto	Mr Lean	Mr Perrin	Mr Stockdale
Mr Ashley	Mr Leigh	Mr Perton	Mrs Tehan
Ms Burke	Mr Lupton	Mr Pescott	Mr Thompson
Mr Clark	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Coleman	Ms McCall	Mr Phillips	Mrs Wade
Mr Cooper	Mrs McGill	Mr Plowman	Mr Wells
Mr Dixon	Mr McGrath	( <i>Benambra</i> )	
Mr Doyle	( <i>Warrnambool</i> )	Mr Reynolds	
Mr Elder	Mr McGrath	Mr Richardson	
Mrs Elliott	( <i>Wimmera</i> )	Mr Rowe	
Mr Finn	Mr McLellan	Mr Ryan	
Mr Gude	( <i>Frankston East</i> )	Mrs Shardey	
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maclellan	( <i>Glen Waverley</i> )	
Mr Jasper	( <i>Pakenham</i> )	Mr Smith	
Mr John	Mr Maughan	( <i>Polwarth</i> )	<i>Tellers</i>
Mr Kennett	Dr Napthine	Mr Spry	Mr Jenkins
Mr Kilgour	Mr Paterson	Mr Steggall	Mr Traynor

NOES, 26

Mr Andrianopoulos	Mr Cole	Mr Hulls	Mr Sheehan
Mr Baker	Mr Cunningham	Ms Kosky	Mr Thwaites
Mr Batchelor	Ms Davies	Mr Leighton	Mrs Wilson
Mr Bracks	Mr Dollis	Mr Loney	
Mr Brumby	Ms Garbutt	Mrs Maddigan	<i>Tellers</i>
Mrs Campbell	Mr Haermeyer	Mr Micallef	Mr Cameron
Mr Carli	Mr Hamilton	Mr Mildenhall	Mr Lim

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported with amendments.

Question - That the amendments be agreed to - put.

The House divided.

AYES, 53

Mr Andrighetto	Mr Kennett	Mr Paterson	Mr Spry
Mr Ashley	Mr Kilgour	Mr Perrin	Mr Steggall
Mr Clark	Mr Lean	Mr Perton	Mr Stockdale
Mr Coleman	Mr Leigh	Mr Pescott	Mrs Tehan
Mr Cooper	Mr Lupton	Mr Phillips	Mr Thompson
Mr Dixon	Mr McArthur	Mr Plowman	Mr Traynor
Mr Doyle	Ms McCall	(Benambra)	Mr Treasure
Mr Elder	Mrs McGill	Mr Reynolds	Mrs Wade
Mrs Elliott	Mr McGrath	Mr Richardson	Mr Wells
Mr Finn	(Wimmera)	Mr Rowe	
Mr Gude	Mr McLellan	Mr Ryan	
Mrs Henderson	(Frankston East)	Mrs Shardey	
Mr Honeywood	Mr Maclellan	Mr Smith	
Mr Jasper	(Pakenham)	(Glen Waverley)	Tellers
Mr Jenkins	Mr Maughan	Mr Smith	Ms Burke
Mr John	Dr Napthine	(Polwarth)	Mrs Peulich

NOES, 26

Mr Andrianopoulos	Mr Cole	Ms Kosky	Mr Sheehan
Mr Baker	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Lim	Mrs Wilson
Mr Bracks	Ms Garbutt	Mr Loney	
Mr Brumby	Mr Haermeyer	Mrs Maddigan	Tellers
Mr Cameron	Mr Hamilton	Mr Micallef	Mr Carli
Mrs Campbell	Mr Hulls	Mr Mildenhall	Ms Davies

And so it was resolved in the affirmative.

Amendments agreed to.

Question - That this Bill be now read a third time - put.

The House divided.

AYES, 53

Mr Andrighetto	Mr Kennett	Mr Perton	Mr Stockdale
Mr Ashley	Mr Kilgour	Mr Pescott	Mrs Tehan
Ms Burke	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Clark	Mr Lupton	Mr Phillips	Mr Traynor
Mr Coleman	Mr McArthur	Mr Plowman	Mrs Wade
Mr Cooper	Ms McCall	( <i>Benambra</i> )	Mr Wells
Mr Dixon	Mrs McGill	Mr Reynolds	
Mr Doyle	Mr McGrath	Mr Richardson	
Mr Elder	( <i>Warrnambool</i> )	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	( <i>Frankston East</i> )	Mrs Shardey	
Mr Gude	Mr Maclellan	Mr Smith	
Mrs Henderson	( <i>Pakenham</i> )	( <i>Glen Waverley</i> )	
Mr Honeywood	Mr Maughan	Mr Smith	
Mr Jasper	Dr Napthine	( <i>Polwarth</i> )	<i>Tellers</i>
Mr Jenkins	Mr Paterson	Mr Spry	Mr Lean
Mr John	Mr Perrin	Mr Steggall	Mr Treasure

NOES, 26

Mr Andrianopoulos	Mr Carli	Mr Hamilton	Mr Sheehan
Mr Baker	Mr Cole	Mr Hulls	Mr Thwaites
Mr Batchelor	Mr Cunningham	Ms Kosky	Mrs Wilson
Mr Bracks	Ms Davies	Mr Leighton	
Mr Brumby	Mr Dollis	Mr Loney	<i>Tellers</i>
Mr Cameron	Ms Garbutt	Mr Micallef	Mr Lim
Mrs Campbell	Mr Haermeyer	Mr Mildenhall	Mrs Maddigan

And so it was resolved in the affirmative - Bill read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

22 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.

23 **LOCAL GOVERNMENT (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Maclellan (*Pakenham*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

Pursuant to Sessional Orders, Mr Hamilton announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

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

- 24 **HIRE-PURCHASE (AMENDMENT) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 25 **LOCAL GOVERNMENT (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Question - put.

The House divided.

AYES, 53

Mr Andrighetto	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Ashley	Mr Lean	Mr Pescott	Mr Thompson
Ms Burke	Mr Leigh	Mrs Peulich	Mr Traynor
Mr Clark	Mr Lupton	Mr Phillips	Mr Treasure
Mr Coleman	Mr McArthur	Mr Plowman	Mrs Wade
Mr Dixon	Mrs McGill	(Benambra)	Mr Wells
Mr Doyle	Mr McGrath	Mr Reynolds	
Mr Elder	(Wimmera)	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	(Frankston East)	Mr Ryan	
Mr Gude	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(Glen Waverley)	
Mr Honeywood	(Pakenham)	Mr Smith	
Mr Jasper	Mr Maughan	(Polwarth)	
Mr Jenkins	Dr Napthine	Mr Spry	Tellers
Mr John	Mr Paterson	Mr Steggall	Ms McCall
Mr Kennett	Mr Perrin	Mr Stockdale	Mrs Shardey

NOES, 25

Mr Andrianopoulos	Mr Cole	Mr Hulls	Mr Thwaites
Mr Baker	Mr Cunningham	Ms Kosky	Mrs Wilson
Mr Batchelor	Ms Davies	Mr Leighton	
Mr Bracks	Mr Dollis	Mr Lim	
Mr Brumby	Ms Garbutt	Mr Loney	Tellers
Mrs Campbell	Mr Haermeyer	Mr Micallef	Mr Cameron
Mr Carli	Mr Hamilton	Mr Sheehan	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 26 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to provide for the suspension of the sheep slaughter program until such time as a full independent cost benefit analysis of the eradication program has been conducted"; debate resumed.
- Question - That the words proposed to be omitted stand part of the question - put and agreed to.
- Bill read a second time and, by leave, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 27 **CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).
- Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 7 May 1997.
- 28 **NATIONAL ELECTRICITY (VICTORIA) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 7 May 1997.
- 29 **GAS INDUSTRY (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 7 May 1997.
- 30 **FINANCIAL MANAGEMENT (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 7 May 1997.
- 31 **SUPERANNUATION ACTS (MISCELLANEOUS AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 7 May 1997.
- 32 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McNamara*).
- Motion made and question - That the debate be now adjourned (*Mr Cameron*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 7 May 1997.
- 33 **FRIENDLY SOCIETIES (VICTORIA) (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.

Ordered - That the debate be adjourned until Wednesday, 7 May 1997.

34 **LAW AND JUSTICE LEGISLATION AMENDMENT BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).

*Mrs Wade made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*

And the House having continued to sit till after 12 midnight -

THURSDAY, 24 APRIL 1997

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

Motion made and question proposed - That the debate be adjourned until Wednesday, 7 May 1997 (*Mrs Wade*).

Amendment proposed - That the expression "7 May" be omitted with the view of inserting in place thereof the expression "4 June" (*Mr Hulls*) - and, after debate -

Question - That the expression proposed to be omitted stand part of the question - put.

The House divided.

AYES, 48

Mr Andrighetto	Mr John	Mr Phillips	Mr Thompson
Mr Ashley	Mr Kilgour	Mr Plowman	Mr Traynor
Ms Burke	Mr Lupton	( <i>Benambra</i> )	Mr Treasure
Mr Clark	Mr McArthur	Mr Reynolds	Mrs Wade
Mr Coleman	Ms McCall	Mr Richardson	Mr Wells
Mr Cooper	Mrs McGill	Mr Rowe	
Ms Davies	Mr McLellan	Mr Ryan	
Mr Doyle	( <i>Frankston East</i> )	Mrs Shardey	
Mrs Elliott	Mr McNamara	Mr Smith	
Mr Finn	Mr Maughan	( <i>Glen Waverley</i> )	
Mr Gude	Dr Napthine	Mr Smith	
Mrs Henderson	Mr Paterson	( <i>Polwarth</i> )	
Mr Honeywood	Mr Perrin	Mr Spry	<i>Tellers</i>
Mr Jasper	Mr Perton	Mr Stockdale	Mr Dixon
Mr Jenkins	Mrs Peulich	Mrs Tehan	Mr Lean

NOES, 21

Mr Andrianopoulos	Mr Cole	Ms Kosky	Mr Thwaites
Mr Batchelor	Mr Cunningham	Mr Leighton	
Mr Bracks	Ms Garbutt	Mr Loney	
Mr Brumby	Mr Haermeyer	Mrs Maddigan	<i>Tellers</i>
Mr Cameron	Mr Hamilton	Mr Micallef	Mrs Campbell
Mr Carli	Mr Hulls	Mr Sheehan	Mr Lim

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Wednesday, 7 May 1997.

35 **MELBOURNE CITY LINK (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).

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

Ordered - That the debate be adjourned until Wednesday, 7 May 1997.

36 MISCELLANEOUS ACTS (OMNIBUS NO. 3) BILL - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).

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

Motion made and question proposed - That the debate be adjourned until Wednesday, 7 May 1997 (*Dr Napthine*).

Amendment proposed - That the expression "7 May" be omitted with the view of inserting in place thereof the expression "4 June" (*Mr Thwaites*) - and, after debate -

Motion made and question - That the question be now put (*Mr Smith, Glen Waverley*) - put.

The House divided.

AYES, 46

Mr Andrighetto	Mr Kilgour	Mr Perrin	Mr Spry
Ms Burke	Mr Lean	Mr Perton	Mr Stockdale
Mr Clark	Mr Lupton	Mrs Peulich	Mr Thompson
Mr Coleman	Mr McArthur	Mr Plowman	Mr Traynor
Mr Cooper	Ms McCall	( <i>Benambra</i> )	Mr Treasure
Ms Davies	Mrs McGill	Mr Reynolds	Mrs Wade
Mr Dixon	Mr McGrath	Mr Richardson	Mr Wells
Mr Doyle	( <i>Warrnambool</i> )	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	( <i>Frankston East</i> )	Mrs Shardey	
Mr Honeywood	Mr McNamara	Mr Smith	
Mr Jasper	Mr Maughan	( <i>Glen Waverley</i> )	<i>Tellers</i>
Mr Jenkins	Dr Napthine	Mr Smith	Mr Ashley
Mr John	Mr Paterson	( <i>Polwarth</i> )	Mr Phillips

NOES, 21

Mr Andrianopoulos	Mr Cunningham	Ms Kosky	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Leighton	
Mr Brumby	Ms Garbutt	Mr Loney	
Mrs Campbell	Mr Haermeyer	Mrs Maddigan	<i>Tellers</i>
Mr Carli	Mr Hamilton	Mr Micallef	Mr Cameron
Mr Cole	Mr Hulls	Mr Sheehan	Mr Lim

And so it was resolved in the affirmative.

Question - That the expression proposed to be omitted stand part of the question - accordingly put.

The House divided.

AYES, 46

Mr Andrighetto	Mr Kilgour	Mr Perrin	Mr Spry
Ms Burke	Mr Lean	Mr Perton	Mr Stockdale
Mr Clark	Mr Lupton	Mrs Peulich	Mr Thompson
Mr Coleman	Mr McArthur	Mr Plowman	Mr Traynor
Mr Cooper	Ms McCall	(Benambra)	Mr Treasure
Ms Davies	Mrs McGill	Mr Reynolds	Mrs Wade
Mr Dixon	Mr McGrath	Mr Richardson	Mr Wells
Mr Doyle	(Warrambool)	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	(Frankston East)	Mrs Shardey	
Mr Honeywood	Mr McNamara	Mr Smith	
Mr Jasper	Mr Maughan	(Glen Waverley)	Tellers
Mr Jenkins	Dr Napthine	Mr Smith	Mr Ashley
Mr John	Mr Paterson	(Polwarth)	Mr Phillips

NOES, 21

Mr Andrianopoulos	Mr Cunningham	Ms Kosky	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Leighton	
Mr Brumby	Ms Garbutt	Mr Loney	
Mrs Campbell	Mr Haermeyer	Mrs Maddigan	Tellers
Mr Carli	Mr Hamilton	Mr Micallef	Mr Cameron
Mr Cole	Mr Hulls	Mr Sheehan	Mr Lim

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Wednesday, 7 May 1997.

37 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Gaming No. 2 Bill with an amendment.

Ordered - That the said amendment be printed and taken into consideration tomorrow.

38 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Health Services (Community Health Centres) Bill with amendments.

Ordered - That the said amendments be printed and taken into consideration tomorrow.

39 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Dr Napthine*) - put and agreed to.

40 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.

And the House, at 2.19 a.m., adjourned until later this day.

## No. 48 - Thursday, 24 April 1997

1 Mr Speaker took the Chair and read the Prayer.

2 **QUESTIONS** - (Pursuant to Standing Order No. 124).

*Member named and suspended* - The Honourable Member for Broadmeadows (*Mr Brumby*) having been named by Mr Speaker for disregarding the authority of the Chair -

Motion made and question - That the Honourable Member for Broadmeadows (*Mr Brumby*) be suspended from the service of the House (*Mr Gude*) - put.

The House divided.

AYES, 57

Mr Andrighetto	Mr Kennett	Dr Napthine	Mr Spry
Mr Ashley	Mr Kilgour	Mr Paterson	Mr Steggall
Ms Burke	Mr Lean	Mr Perrin	Mr Stockdale
Mr Clark	Mr Leigh	Mr Perton	Mrs Tehan
Mr Coleman	Mr Lupton	Mr Pescott	Mr Thompson
Mr Cooper	Mr McArthur	Mrs Peulich	Mr Treasure
Ms Davies	Ms McCall	Mr Phillips	Mr Wade
Dr Dean	Mrs McGill	Mr Plowman	Mr Wells
Mr Dixon	Mr McGrath	( <i>Benambra</i> )	
Mr Doyle	( <i>Warrnambool</i> )	Mr Reynolds	
Mr Elder	Mr McGrath	Mr Richardson	
Mrs Elliott	( <i>Wimmera</i> )	Mr Rowe	
Mr Finn	Mr McLellan	Mr Ryan	
Mr Gude	( <i>Frankston East</i> )	Mrs Shardey	
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maclellan	( <i>Glen Waverley</i> )	Tellers
Mr Jasper	( <i>Pakenham</i> )	Mr Smith	Mr Jenkins
Mr John	Mr Maughan	( <i>Polwarth</i> )	Mr Traynor

NOES, 25

Mr Andrianopoulos	Mr Cole	Ms Kosky	Mr Thwaites
Mr Baker	Mr Cunningham	Mr Leighton	Mrs Wilson
Mr Batchelor	Mr Dollis	Mr Loney	
Mr Bracks	Ms Garbutt	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Micallef	Tellers
Mr Cameron	Mr Hamilton	Mr Mildenhall	Mr Carli
Mrs Campbell	Mr Hulls	Mr Sheehan	Mr Lim

And so it was resolved in the affirmative.

Thereupon Mr Brumby withdrew from the Chamber.

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

**Geelong International Watersports Complex** - Seeking that the Minister for Planning determines that a full Environmental Effects Statement be completed before the City of Greater Geelong proceeds to the next stage of the Geelong International Watersports Complex Feasibility Study project, bearing 1,962 signatures (*by Mr Loney*)

**Sewerage Scheme - Clunes** - Seeking that the Government - (a) does not withdraw its support for the sewerage scheme for Clunes; and (b) explore ways to reduce the burden of repayments by either increasing the Government's financial contribution or revising the proposed repayment requirements and reducing the proposed interest rate to 7%, bearing 182 signatures (*by Mr Elder*).

Severally ordered to lie on the Table.

- 4 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 5 **SENTENCING AND OTHER ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).  
Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 8 May 1997.
- 6 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 3 to 9 inclusive, be postponed until later this day.
- 7 **GAMING NO. 2 BILL** - Order read for the consideration of the amendment made by the Legislative Council.  
And the said amendment was read a second time and, after debate, agreed to by the House.  
Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendment.
- 8 **HEALTH SERVICES (COMMUNITY HEALTH CENTRES) BILL** - Order read for the consideration of the amendments made by the Legislative Council.  
And the said amendments were read a second time and, after debate, agreed to by the House.  
Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 9 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 10 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 12.44 p.m., adjourned until Tuesday, 29 April 1997.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS Nos. 49, 50 and 51

### No. 49 - Tuesday, 29 April 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:

**Geelong International Watersports Complex** - Seeking that the Minister for Planning determines that a full Environmental Effects Statement be completed before the City of Greater Geelong proceeds to the next stage of the Geelong International Watersports Complex Feasibility Study project, bearing 31 signatures (*by Mr Loney*).

Ordered to lie on the Table.

4 **PAPERS** -

**PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Sheehan brought up a Report from the Public Accounts and Estimates Committee on the 1996-97 Budget Estimates and the 1995-96 Budget Outcomes, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendices to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Melbourne City Link Act 1995 - Order pursuant to section 8(4) decreasing the Project area

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

- Brimbank Planning Scheme - No. L20
- Cranbourne Planning Scheme - No. L179 Part 1
- Euroa Planning Scheme - No. L29
- Frankston Planning Scheme - Nos. L83, L84 Part 1
- Glen Eira Planning Scheme - No. L13
- Hume Planning Scheme - No. L28
- Melbourne Planning Scheme - Nos. L246, L248
- Milawa Planning Scheme - Nos. L17, L18
- Moirra Planning Scheme - No. L2
- Moreland Planning Scheme - No. L38
- Rosedale Planning Scheme - No. L48
- Shepparton City Planning Scheme - No. L61
- Traralgon (City) Planning Scheme - No. L71
- Warragul Planning Scheme - No. L55
- Whittlesea Planning Scheme - Nos. L147, L148

Yarra Planning Scheme - No. L25  
 Yarra Ranges Planning Scheme - Nos. L34, L53, L60.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Firearms Act 1996 - Remaining provisions (except for sections 201(3) and 202) on 29 April 1997 (*Gazette No. G16, 24 April 1997*)

Parliament House Completion Authority (Repeal) Act 1997 - Remaining provisions on 22 April 1997 (*Gazette No. S42, 22 April 1997*).

- 5 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Board of Studies (Amendment) Bill  
 Melbourne University (VCAH) Bill  
 National Australia Bank and Bank of New Zealand Bill  
 Racing (Amendment) Bill  
 Teaching Service (Amendment) Bill.

- 6 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Appropriation (1997/98) Bill, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 1997/98.

Estimates ordered to lie on the Table.

- 7 **APPROPRIATION (1997/98) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "*to appropriate certain sums out of the Consolidated Fund for the financial year 1997/98 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time forthwith.

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

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

Ordered - That the debate be adjourned until Thursday, 1 May 1997.

- 8 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Appropriation (Parliament 1997/98) Bill, with accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 1997/98.

Estimates ordered to lie on the Table.

- 9 **APPROPRIATION (PARLIAMENT 1997/98) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "*to appropriate certain sums out of the Consolidated Fund for the Parliament for the financial year 1997/98 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time forthwith.

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

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

Ordered - That the debate be adjourned until Thursday, 1 May 1997.

- 10 **POLICE AND CORRECTIONS (AMENDMENT) BILL** - Motion made, by leave, and question - That it be an instruction to the Committee that they have power to consider an amendment and New Clauses to the Police and Corrections (Amendment) Bill which amend the **Firearms Act 1996** to - (a) allow authorised officers to carry firearms in populous places when performing their duties under any relevant law within the meaning of the **Conservation, Forests and Lands Act 1987**; (b) allow police or protective services officers to carry firearms on private property without the consent of the owner; (c) allow prison guards to carry firearms on private property when acting in the course of their duties and when in immediate pursuit of persons in their custody; and (d) allow authorised officers under the **Conservation, Forests and Lands Act 1987** to exercise powers under the **Firearms Act 1996** when - (i) an offence is or is about to be committed on land administered by the Minister administering the **Conservation, Forests and Lands Act 1987** or on a road adjacent to such land; or (ii) the authorised officer is acting under his or her duties under the **Wildlife Act 1975** or the **Fisheries Act 1996** (*Mr McGrath, Wimmera*) - put and agreed to.
- 11 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm, Thursday, 1 May 1997:

Building (Further Amendment) Bill  
 Melbourne Lands (Yarra River North Bank) Bill  
 Police And Corrections (Amendment) Bill  
 Road Safety (Disclosure of Information) Bill  
 Anglican Welfare Agency Bill  
 State Taxation Acts (Amendment) Bill  
 Taxation Administration Bill

(*Mr Gude*) - after debate, put.

The House divided.

AYES, 50

Mr Ashley	Mr John	Dr Napthine	Mrs Tehan
Ms Burke	Mr Kilgour	Mr Paterson	Mr Thompson
Mr Clark	Mr Lean	Mr Perrin	Mr Treasure
Mr Coleman	Mr Leigh	Mr Perton	Mrs Wade
Mr Cooper	Mr Lupton	Mr Pescott	Mr Wells
Dr Dean	Mr McArthur	Mrs Peulich	
Mr Dixon	Ms McCall	Mr Reynolds	
Mr Doyle	Mrs McGill	Mr Richardson	
Mr Elder	Mr McGrath	Mr Ryan	
Mrs Elliott	( <i>Warrnambool</i> )	Mrs Shardey	
Mr Finn	Mr McGrath	Mr Smith	
Mr Gude	( <i>Wimmera</i> )	( <i>Glen Waverley</i> )	
Mrs Henderson	Mr McNamara	Mr Smith	Tellers
Mr Honeywood	Mr Maclellan	( <i>Polwarth</i> )	Mr Phillips
Mr Jasper	( <i>Pakenham</i> )	Mr Spry	Mr Plowman
Mr Jenkins	Mr Maughan	Mr Steggall	( <i>Benambra</i> )

## NOES, 29

Mr Andrianopoulos	Mr Cunningham	Mr Langdon	Mr Sheehan
Mr Baker	Mr Dollis	Mr Leighton	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Lim	Mrs Wilson
Mr Bracks	Ms Gillett	Mr Loney	
Mr Brumby	Mr Haermeyer	Mrs Maddigan	
Mr Cameron	Mr Hamilton	Mr Micallef	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Mildenhall	Mr Carli
Mr Cole	Ms Kosky	Mr Savage	Ms Davies

And so it was resolved in the affirmative.

- 12 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 13 **BUILDING (FURTHER AMENDMENT) BILL** - 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 Spry*) - put and agreed to.  
Ordered - That the debate be adjourned until later this day.
- 14 **MELBOURNE LANDS (YARRA RIVER NORTH BANK) BILL** - 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 Lean*) - put and agreed to.  
Ordered - That the debate be adjourned until later this day.
- 15 **POLICE AND CORRECTIONS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.  
Pursuant to Sessional Orders, Mrs Tehan announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.  
Pursuant to Sessional Orders, Mr Haermeyer announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.  
Debate resumed on question - That this Bill be now read a second time.  
Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee.  
Committee reported progress; to sit again later this day.  
*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*  
Motion made and question - That the sitting be continued (*Mr McGrath, Wimmera*) - put and agreed to.  
Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 16 **MESSAGE FROM THE LEGISLATIVE COUNCIL - Agreeing to the Constitution and Parliamentary Committees (Amendment) Bill with amendments.**

Ordered - That the said amendments be printed and taken into consideration forthwith.

- 17 **CONSTITUTION AND PARLIAMENTARY COMMITTEES (AMENDMENT) BILL - Order read for the consideration of the amendments made by the Legislative Council.**

And the said amendments were read a second time.

Motion made and question - That the amendments be agreed to (*Mr Kennett*) - put.

The House divided.

AYES, 51

Mr Ashley	Mr John	Mr Perrin	Mr Stockdale
Ms Burke	Mr Kennett	Mr Perton	Mrs Tehan
Mr Clark	Mr Kilgour	Mr Pescott	Mr Thompson
Mr Coleman	Mr Lean	Mrs Peulich	Mr Treasure
Mr Cooper	Mr Leigh	Mr Plowman	Mrs Wade
Dr Dean	Mr Lupton	( <i>Benambra</i> )	Mr Wells
Mr Dixon	Mr McArthur	Mr Reynolds	
Mr Doyle	Ms McCall	Mr Richardson	
Mr Elder	Mrs McGill	Mr Ryan	
Mrs Elliott	Mr McGrath	Mrs Shardey	
Mr Finn	( <i>Wimmera</i> )	Mr Smith	
Mr Gude	Mr Maclellan	( <i>Glen Waverley</i> )	
Mrs Henderson	( <i>Pakenham</i> )	Mr Smith	
Mr Honeywood	Mr Maughan	( <i>Polwarth</i> )	<i>Tellers</i>
Mr Jasper	Dr Napthine	Mr Spry	Mr Savage
Mr Jenkins	Mr Paterson	Mr Steggall	Mr Phillips

NOES, 27

Mr Andrianopoulos	Mr Cole	Mr Langdon	Mrs Wilson
Mr Baker	Mr Cunningham	Mr Leighton	
Mr Batchelor	Mr Dollis	Mr Lim	
Mr Bracks	Ms Garbutt	Mr Loney	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mr Cameron	Mr Hamilton	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Sheehan	Ms Davies
Mr Carli	Ms Kosky	Mr Thwaites	Ms Gillett

And so it was resolved in the affirmative.

Amendments agreed to with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Question - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments - put.

The House divided.

AYES, 51

Mr Ashley	Mr John	Mr Perrin	Mr Stockdale
Ms Burke	Mr Kennett	Mr Perton	Mrs Tehan
Mr Clark	Mr Kilgour	Mr Pescott	Mr Thompson
Mr Coleman	Mr Lean	Mr Phillips	Mr Treasure
Mr Cooper	Mr Leigh	Mr Plowman	Mrs Wade
Dr Dean	Mr Lupton	(Benambra)	Mr Wells
Mr Dixon	Mr McArthur	Mr Reynolds	
Mr Doyle	Ms McCall	Mr Richardson	
Mr Elder	Mrs McGill	Mr Ryan	
Mrs Elliott	Mr McGrath	Mr Savage	
Mr Finn	(Wimmera)	Mr Smith	
Mr Gude	Mr Maclellan	(Glen Waverley)	
Mrs Henderson	(Pakenham)	Mr Smith	
Mr Honeywood	Mr Maughan	(Polwarth)	Tellers
Mr Jasper	Dr Napthine	Mr Spry	Mr Peulich
Mr Jenkins	Mr Paterson	Mr Steggall	Mrs Shardey

NOES, 27

Mr Andrianopoulos	Mr Cole	Mr Hulls	Mrs Wilson
Mr Baker	Mr Cunningham	Ms Kosky	
Mr Batchelor	Ms Davies	Mr Langdon	
Mr Bracks	Mr Dollis	Mr Loney	
Mr Brumby	Ms Garbutt	Mr Micallef	
Mr Cameron	Ms Gillett	Mr Mildenhall	Tellers
Mrs Campbell	Mr Haermeyer	Mr Sheehan	Mr Leighton
Mr Carli	Mr Hamilton	Mr Thwaites	Mr Lim

And so it was resolved in the affirmative.

- 18 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Heritage (Amendment) Bill  
Gaming Acts (Further Amendment) Bill.
- 19 **ELECTRICITY INDUSTRY (MISCELLANEOUS AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).  
Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.  
Ordered - That the debate be adjourned until Tuesday, 13 May 1997.
- 20 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Cooper*) - put and agreed to.

- 21 **ADJOURNMENT** - Motion made and question proposed - That the House do now adjourn  
(*Mr Cooper*) - and, after debate -

And the House having continued to sit till after 12 midnight -

WEDNESDAY, 30 APRIL 1997

Question - put and agreed to.

And the House, at 12.33 a.m., adjourned until later this day.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 50 - Wednesday, 30 April 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
  - Crown Land (Reserves) Act 1978 - Section 17DA Order granting, under section 17D, a lease in the City of Kingston
  - Financial Management Act 1994 - Budget Paper No. 3 1997-98
  - Statutory Rules under the following Acts:
    - Firearms Act 1996 - S.R. No. 32
    - Fisheries Act 1968 - S.R. No. 34
    - Legal Practice Act 1996 - S.R. No. 30
    - Subordinate Legislation Act 1994 - S.R. No. 33
    - Supreme Court Act 1986 - S.R. No. 31
  - Subordinate Legislation Act 1994 -
    - Minister's exception certificate in relation to Statutory Rule No. 31
    - Ministers' exemption certificates in relation to Statutory Rule Nos. 30, 34.
- 3 **ERROR IN DIVISION LIST** - Mr Speaker informed the House that, in the division which took place in the Committee of the Whole on the question - That a new clause be added to the Police and Corrections (Amendment) Bill on Tuesday 29 April, 1997 the Tellers for the "Ayes" inadvertently recorded the name of the Honourable Member for Rodney, Mr Maughan, instead of that of the Honourable Member for Essendon, Mrs Maddigan.  
Mr Speaker then directed the Clerk to correct the Division List accordingly.
- 4 **GRIEVANCES** - Question - That grievances be noted - put, after debate, and agreed to.
- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 6 **STATE TAXATION ACTS (FURTHER AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Kennett, to bring in a Bill "*to amend the Business Franchise (Petroleum Products) Act 1979, the Pay-roll Tax Act 1971 and the Stamps Act 1958 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 **SNOWY HYDRO CORPORATISATION (VICTORIA) BILL** - Mr Stockdale obtained leave, with Mr Kennett, to bring in a Bill "*to corporatise the Snowy Mountains Hydro-electric Authority in accordance with arrangements made between the Commonwealth, New South Wales and Victoria, to repeal the Snowy Mountains Hydro-electric Agreements Act 1958 and the Snowy Mountains Engineering Corporation (Victoria) Act 1971 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **UNCLAIMED MONEYS (SUPERANNUATION BENEFITS) BILL** - Mr Stockdale obtained leave, with Mr Kennett, to bring in a Bill "*to provide for the payment of certain unclaimed superannuation benefits into the Consolidated Fund, to amend the Unclaimed Moneys Act 1962 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **PROJECT DEVELOPMENT AND CONSTRUCTION MANAGEMENT (AMENDMENT) BILL** - Mr Kennett, after debate, obtained leave with Mr Stockdale, to bring in a Bill "*to amend the Project Development and Construction Management Act 1994 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **ENVIRONMENT CONSERVATION COUNCIL BILL** - Mrs Tehan, after debate, obtained leave with Mr Gude, to bring in a Bill "*to establish an Environment Conservation Council, to make consequential amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL** - Mr McNamara, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Melbourne and Metropolitan Board of Works Act 1958 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **PROSTITUTION CONTROL (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Prostitution Control Act 1994 in order to improve the efficiency and effectiveness of the Prostitution Control Board and of the licensing system under that Act and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **ANGLICAN WELFARE AGENCY BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Mr Speaker 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 (*Dr Napthine*) - put and agreed to.
- Debate resumed on question - That this Bill be now read a second time; Bill read a second time and, by leave, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 
- 14 **STATE TAXATION ACTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.  
 Pursuant to sessional orders, Mr Gude announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment circulated.  
 Debate resumed on question - That this Bill be now read a second time; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read a third time.  
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Hire-Purchase (Amendment) Bill without amendment.
- 16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Transmitting a Bill "*to amend the Infertility Treatment Act 1995 and for other purposes*".
- 17 **INFERTILITY TREATMENT (AMENDMENT) BILL** - On the motion of Dr Napthine, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 18 **TAXATION ADMINISTRATION BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.  
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 19 **BUILDING (FURTHER AMENDMENT) BILL** - 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, read a third time forthwith.  
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 **INFERTILITY TREATMENT (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).  
 Motion made and question - That the debate be now adjourned (*Mr Thwaites*) - put and agreed to.  
 Ordered - That the debate be adjourned until Wednesday, 14 May 1997.
- 21 **MELBOURNE LANDS (YARRA RIVER NORTH BANK) BILL** - 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, read a third time forthwith.  
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 22 **ROAD SAFETY (DISCLOSURE OF INFORMATION) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Mr Cooper*) - put and agreed to.

Debate continued on question - That this Bill be now read a second time.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

23 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.

24 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.

And the House, at 11.06 p.m., adjourned until tomorrow.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## **No. 51 - Thursday, 1 May 1997**

1 Mr Speaker took the Chair and read the Prayer.

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

**National Gallery of Victoria** - Seeking that - (a) the water wall at the entrance to the National Gallery of Victoria should be retained in any redesign of the Gallery; and (b) the Leonard French ceiling should be retained in its present location, bearing 16 signatures (*by Mrs Maddigan*).

Ordered to lie on the Table.

3 **PAPERS** -

**NATIONAL ROAD TRAUMA ADVISORY COUNCIL REPORT**- Motion made, by leave, and question - That there be presented to this House a copy of the Report of the National Road Trauma Advisory Council for the period ended 30 June 1995 (*Mr Cooper*) - put and agreed to.

The said Report was presented by Mr Cooper and ordered to lie on the Table.

**PARLIAMENT HOUSE COMPLETION AUTHORITY REPORT**- Motion made, by leave, and question - That there be presented to this House a copy of the Parliament House Completion Authority Report and Nine Appendices (*Mr Kilgour*) - put and agreed to.

The said Report and Appendices were presented by Mr Kilgour and ordered to lie on the Table.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Ballarat University - Report for the year 1996

Deakin University - Report for the year 1996

Monash University - Report for the year 1996

Swinburne University of Technology - Report for the year 1996

Victoria University of Technology - Report for the year 1996

Victorian College of Agriculture and Horticulture Ltd - Report for the year 1996 (two papers).

4 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Electricity Industry (Loy Yang B) Bill without amendment.

5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 13 May 1997 (*Mr Gude*) - put and agreed to.

6 **APPROPRIATION (1997/98) BILL** - 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 p.m.  
pursuant to Sessional Orders.*

7 **QUESTIONS** - (Pursuant to Standing Order No. 124).

8 **APPROPRIATION (1997/98) BILL** - Debate continued on question - That this Bill be now read a second time.

Motion made and question - That the debate be now adjourned (*Mrs Maddigan*) - put and agreed to.

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

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

Land (Revocation of Miscellaneous Reservations) Bill

Education (Further Amendment) Bill

Office of the Regulator-General (Amendment) Bill.

10 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

11 **STATE TAXATION ACTS (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).

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

Ordered - That the debate be adjourned until Thursday, 15 May 1997.

12 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

- 13 **UNCLAIMED MONEYS (SUPERANNUATION BENEFITS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).  
Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 15 May 1997.
- 14 **PROJECT DEVELOPMENT AND CONSTRUCTION MANAGEMENT (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).  
Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 15 May 1997.
- 15 **ENVIRONMENT CONSERVATION COUNCIL BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).  
Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.  
Motion made and question proposed - That the debate be adjourned for two weeks (*Mrs Tehan*).  
Amendment proposed - That the word "two" be omitted with the view of inserting in place thereof the word "four" (*Ms Garbutt*) - and, after debate -  
Question - That the word proposed to be omitted stand part of the question - put.  
The House divided.

AYES, 50

Mr Ashley	Mr Jenkins	Mr Maughan	Mr Smith
Ms Burke	Mr John	Dr Naphthine	( <i>Polwarth</i> )
Mr Clark	Mr Kilgour	Mr Paterson	Mr Spry
Mr Coleman	Mr Lean	Mr Perrin	Ms Tehan
Mr Cooper	Mr Leigh	Mr Perton	Mr Thompson
Dr Dean	Mr Lupton	Mr Pescott	Mr Traynor
Mr Dixon	Ms McCall	Mrs Peulich	Mr Treasure
Mr Doyle	Mrs McGill	Mr Phillips	Mr Wade
Mr Elder	Mr McGrath	Mr Plowman	Mr Wells
Mrs Elliott	( <i>Wimmera</i> )	( <i>Benambra</i> )	
Mr Finn	Mr McLellan	Mr Reynolds	
Mr Gude	( <i>Frankston East</i> )	Mr Richardson	
Mrs Henderson	Mr McNamara	Mr Ryan	<i>Tellers</i>
Mr Honywood	Mr Maclellan	Mr Smith	Mr Andrighetto
Mr Jasper	( <i>Pakenham</i> )	( <i>Glen Waverley</i> )	Mrs Shardey

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Langdon	Mr Thwaites
Mr Baker	Ms Davies	Mr Leighton	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Lim	
Mr Bracks	Ms Gillett	Mr Loney	
Mr Brumby	Mr Haermeyer	Mrs Maddigan	
Mrs Campbell	Mr Hamilton	Mr Micallef	<i>Tellers</i>
Mr Carli	Mr Hulls	Mr Mildenhall	Mr Cameron
Mr Cole	Ms Kosky	Mr Sheehan	Mrs Savage

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 15 May 1997.

- 16 **MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McNamara*).

*Mr McNamara made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*

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

Ordered - That the debate be adjourned until Thursday, 15 May 1997.

- 17 **PROSTITUTION CONTROL (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).

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

Ordered - That the debate be adjourned until Thursday, 15 May 1997.

- 18 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mrs Wade*) - put and agreed to.

- 19 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.

And the House, at 6.12 p.m., adjourned until Tuesday, 13 May 1997.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS Nos. 52, 53 and 54

### No. 52 - Tuesday, 13 May 1997

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:

**Paintball/Skirmish Games** - Seeking that the House oppose legislation requiring participants in a game of paintball, also known as skirmish, to hold a shooter's licence, bearing 4,043 signatures (*by Dr Dean*).

Ordered to lie on the Table.

#### 4 **PAPERS** -

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 4 of 1997 on the -

Melbourne City Link (Further Amendment) Bill  
Appropriation (Parliament 1997/98) Bill  
Appropriation (1997/98) Bill  
Electricity Industry (Miscellaneous Amendment) Bill  
Law and Justice Legislation Amendment Bill  
Friendly Societies (Victoria) (Amendment) Bill  
Drugs, Poisons and Controlled Substances (Amendment) Bill  
Financial Management (Amendment) Bill  
Superannuation Acts (Miscellaneous Amendment) Bill  
Gas Industry (Amendment) Bill  
National Electricity (Victoria) Bill  
Construction Industry Long Service Leave Bill  
Sentencing and Other Acts (Amendment) Bill  
State Taxation Acts (Further Amendment) Bill  
Unclaimed Moneys (Superannuation Benefits) Bill  
Project Development and Construction Management (Amendment) Bill  
Environment Conservation Council Bill  
Melbourne and Metropolitan Board of Works (Amendment) Bill  
Prostitution Control (Amendment) Bill  
Miscellaneous Acts (Omnibus No. 3) Bill  
Infertility Treatment (Amendment) Bill  
Education (Further Amendment) Bill  
Local Government (Further Amendment) Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Thompson, brought up a Report from the Scrutiny of Acts and Regulations Committee on Subordinate Legislation concerning Statutory Rules Series 1995 and 1996 together with Appendices.

Ordered to lie on the Table and to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Chiropodists Registration Board - Report for the year 1996

Crown Land (Reserves) Act 1978 - Section 17DA Order granting, under section 17D, a lease in the Mornington Peninsula Shire Council

Financial Management Act 1994 -

Report of the Minister for Fair Trading that she had received the 1996 Annual Report of the Defence Reserves Re-Employment Board

Report of the Minister for Sport that he had received the 1995-96 Annual Report of the Melbourne Sports and Aquatic Centre Trust, together with notification of failure to submit the annual report and the reasons therefore

La Trobe University - Report for the year 1996

Melbourne City Link Act 1995 -

Orders pursuant to section 8(4) increasing the Project Area (two papers)

Orders pursuant to section 29(2) revoking parts of Reservation (two papers)

Statement of Variation No. 3/1997 - Changes to the Project Scope and Technical Requirements, Request for Change No. 3

Melbourne University - Report for the year 1996

Ombudsman Act 1973 - Report by the Ombudsman on Investigation into Complaint by a Chiropractor against the Chiropractors and Osteopaths Registration Board, April 1997 - Ordered to be printed

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

Alberton Planning Scheme - No. L45

All Planning Schemes - Nos. S56, SRL5

Ballarat Planning Scheme - Nos. L18, L21

Frankston Planning Scheme - No. L96

Glen Eira Planning Scheme - No. L12

Golden Plains Planning Scheme - No. RL7

Greater Geelong Planning Scheme - Nos. R194, R198

Hepburn Planning Scheme - No. L3

Melbourne Planning Scheme - Nos. L245, L260

Monash Planning Scheme - No. L16

Rodney Planning Scheme - Nos. L97, L101

Surf Coast Planning Scheme - No. RL38

Swan Hill Shire Planning Scheme - No. L24

Warragul Planning Scheme - No. L58

Whitehorse Planning Scheme - No. L17

Whittlesea Planning Scheme - No. L149

Yarra Ranges Planning Scheme - Nos. L50, L61

Police Regulation Act 1958 - Interim Report of the Ombudsman - Operation Bart - Investigation of Allegations against Police in relation to the Shutter Allocation System, April 1997 - Ordered to be printed

Prince Henry's Institute of Medical Research - Report for the year 1996

Public Authorities (Equal Employment Opportunity) Act 1990 - Report describing the implementation and evaluation of Equal Employment Opportunity Programs in Public Authorities for the year 1995-96

RMIT - Report for the year 1996.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Electricity Industry (Loy Yang B) Act 1997 - Remaining provisions on 8 May 1997  
(*Gazette No. G18, 8 May 1997*)

National Australia Bank and Bank of New Zealand Act 1997 - Remaining provisions on 1 May 1997 (*Gazette No. G17, 1 May 1997*).

**5 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

On 6 May 1997

Constitution and Parliamentary Committees (Amendment) Bill  
Electricity Industry (Loy Yang B) Bill  
Gaming Acts (Further Amendment) Bill  
Gaming No. 2 Bill  
Health Services (Community Health Centres) Bill  
Heritage (Amendment) Bill  
Hire-Purchase (Amendment) Bill

On 13 May 1997

Education (Further Amendment) Bill  
Land (Revocation of Miscellaneous Reservations) Bill  
Office of the Regulator-General (Amendment) Bill.

**6 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Construction Industry Long Service Leave Bill  
Electricity Industry (Miscellaneous Amendment) Bill  
Environment Conservation Council Bill  
Gas Industry (Amendment) Bill  
Law and Justice Legislation Amendment Bill  
Melbourne City Link (Further Amendment) Bill  
Miscellaneous Acts (Omnibus No. 3) Bill  
National Electricity (Victoria) Bill  
Project Development and Construction Management (Amendment) Bill  
Prostitution Control (Amendment) Bill  
State Taxation Acts (Further Amendment) Bill  
Superannuation Acts (Miscellaneous Amendment) Bill  
Unclaimed Moneys (Superannuation Benefits) Bill.

- 7 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - VACANCY IN THE SENATE -**  
Mr Speaker announced the presentation of a Message from His Excellency the Governor, 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 James Robert Short on 12 May 1997.

Ordered to be taken into consideration forthwith.

- 8 **JOINT SITTING - SENATE VACANCY -** Motion made and question - That this House meets the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable James Robert Short, and proposes that the place and time of such meeting be the Legislative Assembly Chamber on Tuesday, 13 May 1997 at 6.15 p.m. (*Mr Gude*) - put and agreed to.

Ordered - That a Message be sent to the Legislative Council acquainting them of the said resolution and seeking their concurrence therein.

- 9 **MEMBERSHIP OF THE COUNCILS OF DEAKIN UNIVERSITY AND UNIVERSITY OF BALLARAT -** Mr Speaker announced that he had received communications from the Minister for Tertiary Education and Training requesting a Joint Sitting to choose various Members of the Parliament to be recommended for appointment to the Councils of the Deakin University and University of Ballarat.

30 APR 1997

The Hon Jim Plowman, MP  
Speaker  
Legislative Assembly  
Parliament House  
Spring Street  
MELBOURNE VIC 3000

Dear Mr Speaker,

Section 7(1)(d) of the Deakin University Act 1974 provides for "Three members appointed by the Governor in Council who are Members of the Parliament of Victoria recommended for appointment by a joint sitting of the Members of the Legislative Council and the Legislative Assembly conducted in accordance with rules adopted for the purpose by the Members present at the sitting".

Ms Mary Gillett has resigned her position as a member of the Deakin University Council by notice to the Chancellor on 10 April 1997. Ms Gillett was one of three members of the Victorian Parliament appointed to the University Council by the Governor in Council. Her term of office was due to expire on 30 June 1998.

I seek your agreement to convene a joint sitting of members of the Legislative Assembly and the Legislative Council for a person to be recommended to fill the vacant position on the Council arising from this resignation for the balance of the term of her appointment up to 30 June 1998.

Yours sincerely

**PHIL HONEYWOOD, MP**  
Minister for Tertiary Education and Training

18 MAR 1997

The Hon Jim Plowman, MP  
 Speaker  
 Legislative Assembly  
 Parliament House  
 Spring Street  
 MELBOURNE VIC 3000

Dear Mr Speaker

Section 7(1)(g) of the University of Ballarat Act 1993 provides for appointment to the Council by the Governor in Council of three persons "who are Members of the Parliament of Victoria recommended for appointment by a joint sitting of the members of the Legislative Council and the Legislative Assembly conducted in accordance with the rules adopted for the purpose by the members present at the sitting."

The terms of appointment of the following members are due to expire on 26 April 1997.

The Hon R S de Fegely, MLC  
 The Hon W D McGrath, MP  
 Mr S P Bracks, MP

The term of appointment to the respective positions is from the date of expiry for a term of 3 years.

I seek your agreement to convene a joint sitting of members of the Legislative Assembly and the Legislative Council so that persons can be recommended to the Governor in Council for appointment to the Council of University of Ballarat under these provisions.

Yours sincerely

**PHIL HONEYWOOD, MP**

Minister for Tertiary Education and Training

Motion made and question - That this House meets the Legislative Council for the purpose of sitting and voting together to choose Members of the Parliament to be recommended for appointment to the Councils of Deakin University and the University of Ballarat and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Tuesday, 13 May 1997 at 6.15 p.m. (*Mr Gude*) - put and agreed to.

Ordered - That a Message be sent to the Legislative Council acquainting them of the resolution and seeking their concurrence therein.

- 10 **LAW AND JUSTICE LEGISLATION AMENDMENT BILL** - Motion made, by leave, and question - That it be an instruction to the Committee that they have power to consider an amendment and a New Clause to the Law and Justice Legislation Amendment Bill which amends the *Crimes (Family Violence) Act 1987* by providing for the removal of the requirement to specify a period of duration in an intervention order and the validation of existing orders that do not specify a period of duration (*Mrs Wade*) - put and agreed to.

- 11 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 10.00 pm, Thursday, 15 May 1997:
- Appropriation (1997/98) Bill
  - Appropriation (Parliament 1997/98) Bill
  - Electricity Industry (Miscellaneous Amendment) Bill
  - Gas Industry (Amendment) Bill
  - National Electricity (Victoria) Bill
- (*Mr Gude*) - put and agreed to.
- 12 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 13 **GAS INDUSTRY (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr Stockdale announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.
- Ordered - That the debate be adjourned until later this day.
- 14 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.
- 15 **FINANCIAL MANAGEMENT (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr Stockdale announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment circulated.
- Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.
- Ordered - That the debate be adjourned until later this day.
- 16 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 7 and 8 be postponed until later this day.
- 17 **LAW AND JUSTICE LEGISLATION AMENDMENT BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.
- Ordered - That the debate be adjourned until later this day.
- 18 **APPROPRIATION (1997/98) BILL** - 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 Doyle*) - put and agreed to.
- Ordered - That the debate be adjourned until later this day.

19 **MESSAGES FROM THE LEGISLATIVE COUNCIL -**

Acquainting the Legislative Assembly that they have agreed to meet with the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable James Robert Short and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber this day at 6.15 p.m.

Acquainting the Legislative Assembly that they have agreed to meet the Legislative Assembly for the purpose of sitting and voting together to recommend Members for appointment to the Councils of Deakin University and the University of Ballarat and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber this day at 6.15 p.m.

20 **APPROPRIATION (1997/98) BILL -** 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 Mildenhall*) - put and agreed to.

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

21 **VACANCY IN THE SENATE AND VACANCIES IN MEMBERSHIP OF THE COUNCILS OF DEAKIN UNIVERSITY AND THE UNIVERSITY OF BALLARAT -** Mr Deputy Speaker reported that the House, this day, met with the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable James Robert Short and Members of the Parliament to be recommended for appointment to the Councils of Deakin University and the University of Ballarat, and that -

Karen Margaret Synon

has been duly chosen to hold the vacant place in the Senate; and

Mrs Judith Marilyn Maddigan, MP

was recommended for appointment as a member of the Council of the Deakin University; and

The Hon Richard Strachan De Fegely, MLC;

Ms Mary Jane Gillett, MP; and

The Hon William Desmond McGrath, MP

were recommended for appointment as members of the Council of the University of Ballarat.

22 **APPROPRIATION (1997/98) BILL -** Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Dr Naphthine*) - 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 Wells*) - put and agreed to.

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

- 23 **NATIONAL ELECTRICITY (VICTORIA) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed;
- And the House having continued to sit till after 12 midnight -  
WEDNESDAY, 14 MAY 1997
- Bill read a second time and, by leave, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 24 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Fire Authorities (Amendment) Bill  
Livestock Disease Control (Amendment) Bill.
- 25 **APPROPRIATION (1997/98) BILL** - 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 (*Mrs Maddigan*) - put and agreed to.
- Ordered - That the debate be adjourned until tomorrow.
- 26 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 27 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 1.38 a.m., adjourned until later this day.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 53 - Wednesday, 14 May 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **LAW AND JUSTICE LEGISLATION AMENDMENT BILL** - Pursuant to section 85 of the *Constitution Act 1975*, Mrs Wade gave a notice of intention to make a statement of the reasons why she proposes in Committee to move an amendment and a new clause to the Law and Justice Legislation Amendment Bill to alter or vary that section.
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Plenty Residential Services Building** - Seeking that the Government - (a) stops the construction of the Plenty Residential Services institution building on the site of the Janefield Training Centre in Bundoora; and (b) that adequate support services be provided for all intellectually disabled residents of institutions, bearing 577 signatures (*by Ms Garbutt*)

**Water Wall - National Gallery of Victoria** - Seeking that the water wall at the entrance to the National Gallery of Victoria be retained in any redesign of the Gallery, bearing 29 signatures (*by Mrs Maddigan*).

Severally ordered to lie on the Table.

**4 PAPERS -**

**CONSULTATIVE COUNCIL ON OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Consultative Council on Obstetric and Paediatric Mortality and Morbidity for the year 1995 (*Dr Napthine*) - put and agreed to.

The said report was presented by Dr Napthine and ordered to lie on the Table.

**ECONOMIC DEVELOPMENT COMMITTEE** - Mr Batchelor, brought up the Final Report from the Economic Development Committee upon the Inquiry into Medical and Public Health Research in Victoria together with Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendices to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Auditor-General - Report on Ministerial Portfolios, May 1997 - Ordered to be printed

Statutory Rule under the Magistrates' Court Act 1989 - S.R. No. 35.

**5 ADJOURNMENT MOTION - PUBLIC HOUSING** - Mr Bracks proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

"The massive cuts announced in the Federal Budget to payments made pursuant to the Commonwealth-State Housing Agreement which will lead to a crisis in public housing for low income Victorian families".

Mr Speaker having ascertained that twelve members approved of the proposed discussion -

Motion made and question - That the House do now adjourn (*Mr Bracks*) - after debate, put.

The House divided.

AYES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Ms Davies	Mr Lim	Mrs Wilson
Mr Batchelor	Mr Dollis	Mr Loney	
Mr Bracks	Ms Garbutt	Mr Micallef	
Mr Brumby	Ms Gillett	Mr Mildenhall	
Mr Cameron	Mr Hamilton	Mr Pandazopoulos	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Savage	Mr Langdon
Mr Carli	Ms Kosky	Mr Sheehan	Mrs Maddigan

## NOES, 51

Mr Andrighetto	Mr Kilgour	Mr Maughan	Mr Spry
Mr Ashley	Mr Lean	Dr Naphthine	Mr Steggall
Ms Burke	Mr Leigh	Mr Paterson	Mr Stockdale
Mr Clark	Mr Lupton	Mr Perrin	Mr Tehan
Mr Coleman	Mr McArthur	Mr Perton	Mr Thompson
Mr Cooper	Ms McCall	Mrs Peulich	Mr Traynor
Dr Dean	Mrs McGill	Mr Phillips	Mr Treasure
Mr Doyle	Mr McGrath	Mr Plowman	Mrs Wade
Mr Elder	(Warrnambool)	(Benambra)	
Mrs Elliott	Mr McGrath	Mr Reynolds	
Mr Finn	(Wimmera)	Mr Ryan	
Mrs Henderson	Mr McLellan	Mrs Shardey	
Mr Honeywood	(Frankston East)	Mr Smith	
Mr Jasper	Mr McNamara	(Glen Waverley)	Tellers
Mr Jenkins	Mr Maclellan	Mr Smith	Mr Dixon
Mr John	(Pakenham)	(Polwarth)	Mr Wells

And so it passed in the negative.

- 6 **GOVERNMENT EDUCATION INITIATIVES** - Motion made and question proposed - That this House commends the Government and the Minister for Education for - (a) initiating positive moves to improve curriculum at all school levels so as to ensure standards of education and practices are world best; (b) emphasising standardised testing of students at secondary level so that all parents are kept informed of their children's progress; and (c) highlighting the importance of the role of dedicated teachers and for supporting their professional standing in our community (Mr Smith, Glen Waverley) - and, after debate -

*General Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 7 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 8 **VICTIMS OF CRIME ASSISTANCE (AMENDMENT) BILL** - Mrs Wade, pursuant to a motion moved on her behalf by Mr Cooper, obtained leave, with Mr Stockdale, to bring in a Bill "to amend the *Victims of Crime Assistance Act 1996* and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **GAS INDUSTRY (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Question - put.

The House divided.

AYES, 52

Mr Ashley	Mr John	Mr Perton	Mr Stockdale
Ms Burke	Mr Kennett	Mr Pescott	Mrs Tehan
Mr Clark	Mr Kilgour	Mrs Peulich	Mr Thompson
Mr Coleman	Mr Lean	Mr Phillips	Mr Traynor
Mr Cooper	Mr Leigh	Mr Plowman	Mr Treasure
Dr Dean	Mr Lupton	(Benambra)	Mrs Wade
Mr Dixon	Mr McArthur	Mr Reynolds	Mr Wells
Mr Doyle	Ms McCall	Mr Richardson	
Mr Elder	Mr McGrath	Mr Ryan	
Mrs Elliott	(Wimmera)	Mrs Shardey	
Mr Finn	Mr McLellan	Mr Smith	
Mr Gude	(Frankston East)	(Glen Waverley)	
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maughan	(Polwarth)	Tellers
Mr Jasper	Dr Napthine	Mr Spry	Mr Andrighetto
Mr Jenkins	Mr Paterson	Mr Steggall	Mrs McGill

NOES, 29

Mr Andrianopoulos	Mr Cunningham	Ms Kosky	Mr Sheehan
Mr Baker	Ms Davies	Mr Langdon	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Leighton	Mrs Wilson
Mr Bracks	Ms Garbutt	Mr Lim	
Mr Brumby	Ms Gillett	Mr Loney	
Mr Cameron	Mr Haermeyer	Mr Micallef	Tellers
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Mrs Maddigan
Mr Carli	Mr Hulls	Mr Pandazopoulos	Mr Savage

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to.

Question - That this Bill be now read a third time - put.

The House divided.

AYES, 50

Mr Andrighetto	Mr Jenkins	Dr Napthine	Mr Spry
Mr Ashley	Mr John	Mr Perton	Mr Steggall
Ms Burke	Mr Kennett	Mr Pescott	Mr Stockdale
Mr Clark	Mr Kilgour	Mrs Peulich	Mrs Tehan
Mr Coleman	Mr Lean	Mr Phillips	Mr Thompson
Mr Cooper	Mr Leigh	Mr Plowman	Mr Traynor
Dr Dean	Mr Lupton	(Benambra)	Mr Treasure
Mr Dixon	Mr McArthur	Mr Reynolds	Mr Wells
Mr Doyle	Mrs McGill	Mr Richardson	
Mr Elder	Mr McGrath	Mr Ryan	
Mrs Elliott	(Wimmera)	Mrs Shardey	
Mr Finn	Mr McLellan	Mr Smith	
Mrs Henderson	(Frankston East)	(Glen Waverley)	Tellers
Mr Honeywood	Mr McNamara	Mr Smith	Ms McCall
Mr Jasper	Mr Maughan	(Polwarth)	Mr Paterson

NOES, 28

Mr Andrianopoulos	Ms Garbutt	Mr Lim	Mr Thwaites
Mr Baker	Ms Gillett	Mr Loney	Mrs Wilson
Mr Batchelor	Mr Haermeyer	Mrs Maddigan	
Mr Bracks	Mr Hamilton	Mr Micallef	
Mr Cameron	Mr Hulls	Mr Mildenhall	
Mrs Campbell	Ms Kosky	Mr Pandazopoulos	Tellers
Mr Cunningham	Mr Langdon	Mr Savage	Mr Carli
Mr Dollis	Mr Leighton	Mr Sheehan	Ms Davies

And so it was resolved in the affirmative - Bill read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

10 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Taxation Administration Bill  
Melbourne Lands (Yarra River North Bank) Bill

11 **APPROPRIATION (1997/98) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Mr Reynolds*) - put and agreed to.

Debate continued on question - That this Bill be now read a second time.

And the House having continued to sit till after 12 midnight -

THURSDAY, 15 MAY 1997

Motion made and question - That the debate be now adjourned (*Mr McGrath, Wimmera*) - put and agreed to.

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

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Police and Corrections (Amendment) Bill with amendments.  
Ordered - That the said amendments be printed and taken into consideration tomorrow.
- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Road Safety (Disclosure of Information) Bill without amendment.
- 14 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr McGrath, Wimmera*) - put and agreed to.
- 15 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 12.59 a.m., adjourned until later this day.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## **No. 54 - Thursday, 15 May 1997**

1 Mr Speaker took the Chair and read the Prayer.

2 **PAPERS** -

**INQUIRIES INTO CHILD DEATHS: PROTECTION AND CARE** - Motion made, by leave, and question - That there be presented to this House a copy of the Annual Report of Inquiries into Child Deaths: Protection and Care 1997 (*Dr Naphthine*) - put and agreed to.

The said report was presented by Dr Naphthine and ordered to lie on the Table.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Prevention of Cruelty to Animals Act 1986 -

Revocation of the Code of Accepted Farming Practice for the Welfare of Pigs approved on 20 August 1985

Revocation of the Code of Accepted Farming Practice for the Welfare of Pigs (Revision Number 1) approved on 3 November 1993

Code of Accepted Farming Practice for the Welfare of Pigs (Revision Number 1)

Subordinate Legislation Act 1994 - Minister's exception certificate in relation to Statutory Rule No. 35.

**COMMISSION OF INQUIRY INTO THE DAREBIN CITY COUNCIL** - Motion made and question - That there be presented to this House a copy of the Report of the Commission of Inquiry into the Darebin City Council, April 1997 (*Mr Maclellan, Pakenham*) - put and agreed to.

The said report was presented by Mr Maclellan (*Pakenham*) and ordered to lie on the Table and to be printed.

- 3 **VICTIMS OF CRIME ASSISTANCE (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).

*Mrs Wade made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*

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

Motion made and question proposed - That the debate be adjourned until Thursday next (*Mrs Wade*).

Amendment proposed - That the words after "adjourned" be omitted with the view of inserting in place thereof the words "for two weeks" (*Mr Hulls*) - and, after debate -

Question - That the question be now put (*Dr Dean*) - put and agreed to.

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

The House divided.

AYES, 51

Mr Ashley	Mr Jenkins	Dr Napthine	Mr Spry
Ms Burke	Mr John	Mr Paterson	Mr Steggall
Mr Clark	Mr Kilgour	Mr Perrin	Mr Stockdale
Mr Coleman	Mr Lean	Mr Perton	Mrs Tehan
Mr Cooper	Mr Lupton	Mr Pescott	Mr Thompson
Ms Davies	Mr McArthur	Mrs Peulich	Mr Traynor
Dr Dean	Mrs McGill	Mr Phillips	Mr Treasure
Mr Dixon	Mr McGrath	Mr Plowman	Mrs Wade
Mr Doyle	( <i>Wimmera</i> )	( <i>Benambra</i> )	Mr Wells
Mr Elder	Mr McLellan	Mr Reynolds	
Mrs Elliott	( <i>Frankston East</i> )	Mr Ryan	
Mr Finn	Mr McNamara	Mr Savage	<i>Tellers</i>
Mr Gude	Mr Maclellan	Mrs Shardey	Mr Andrighetto
Mrs Henderson	( <i>Pakenham</i> )	Mr Smith	Ms McCall
Mr Jasper	Mr Maughan	( <i>Polwarth</i> )	

NOES, 25

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Mr Dollis	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Mr Haermeyer	Mr Micallef	<i>Tellers</i>
Mr Brumby	Mr Hulls	Mr Mildenhall	Mr Cameron
Mrs Campbell	Ms Kosky	Mr Pandazopoulos	Ms Gillett
Mr Carli	Mr Langdon	Mr Sheehan	

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 22 May 1997.

4 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 2 to 4 inclusive, be postponed until later this day.

5 **POLICE AND CORRECTIONS (AMENDMENT) BILL** - Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

6 **ELECTRICITY INDUSTRY (MISCELLANEOUS AMENDMENT) BILL** - 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 p.m.  
pursuant to Sessional Orders.*

7 **QUESTIONS** - (Pursuant to Standing Order No. 124).

8 **ELECTRICITY INDUSTRY (MISCELLANEOUS AMENDMENT) BILL** - Debate continued on question - That this Bill be now read a second time.

Question - put.

The House divided.

AYES, 53

Mr Andrighetto	Mr Kennett	Mr Maughan	Mr Stockdale
Mr Ashley	Mr Kilgour	Dr Naphthine	Mrs Tehan
Ms Burke	Mr Lean	Mr Paterson	Mr Thompson
Mr Clark	Mr Leigh	Mr Perrin	Mr Traynor
Mr Coleman	Mr Lupton	Mr Pescott	Mr Treasure
Mr Cooper	Mr McArthur	Mrs Peulich	Mrs Wade
Dr Dean	Ms McCall	Mr Phillips	Mr Wells
Mr Dixon	Mrs McGill	Mr Plowman	
Mr Doyle	Mr McGrath	(Benambra)	
Mr Elder	(Warrnambool)	Mr Reynolds	
Mrs Elliott	Mr McGrath	Mr Richardson	
Mr Finn	(Wimmera)	Mr Ryan	
Mr Gude	Mr McLellan	Mrs Shardey	
Mrs Henderson	(Frankston East)	Mr Smith	
Mr Honeywood	Mr McNamara	(Glen Waverley)	Tellers
Mr Jasper	Mr Maclellan	Mr Smith	Mr Jenkins
Mr John	(Pakenham)	(Polwarth)	Mr Spry

## NOES, 29

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mr Sheehan
Mr Baker	Mr Dollis	Mr Lim	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mrs Maddigan	
Mr Brumby	Mr Hamilton	Mr Micallef	
Mr Cameron	Mr Hulls	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Ms Kosky	Mr Pandazopoulos	Mr Carli
Mr Cunningham	Mr Langdon	Mr Savage	Ms Gillett

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 9 **APPROPRIATION (PARLIAMENT 1997/98) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Anglican Welfare Agency Bill without amendment.

- 11 **APPROPRIATION (1997/98) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Allocation of time - Mr Acting Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of the House on Tuesday, 13 May 1997 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 and be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Local Government (Further Amendment) Bill without amendment.

- 13 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Kennett*) - put and agreed to.

- 14 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.

And the House, at 11.05 p.m., adjourned until Tuesday, 20 May 1997.

P. J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS Nos. 55, 56, 57 and 58

### No. 55 - Tuesday, 20 May 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:

**Victoria Inn, Williamstown** - Seeking that the Minister for Planning and Local Government over-turns the decision by the City of Hobsons Bay to grant a permit to the Victoria Inn, situated at 65-67 Douglas Parade, Williamstown, to install numerous poker machines and change the use of the property from hotel to club, bearing 2,240 signatures (*by Mr Bracks*).

Ordered to lie on the Table.

4 **PAPERS** -

**PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr McArthur, brought up a Report from the Public Accounts and Estimates Committee on the Appointment of an Auditor to Conduct a Financial Audit of the Victorian Auditor-General's Office, together with Appendices.

Ordered to lie on the Table and to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Anti-Cancer Council - Report for the half-year July to 31 December 1996

Interpretation of Legislation Act 1984 - Notice under section 32(3)(a) in relation to Statutory Rule No. 19/1997

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

Cranbourne Planning Scheme - Nos. L148, L163

Flinders Planning Scheme - Nos. L116, L170

Glenelg Planning Scheme - No. L5

Golden Plains Planning Scheme - No. RL9

Greater Geelong Planning Scheme - Nos. R188, RL187, RL189

Hastings Planning Scheme - No. L116

Knox Planning Scheme - No. L137

Melbourne Planning Scheme - No. L251

Monash Planning Scheme - No. L28

Pakenham Planning Scheme - No. L144

Port Phillip Planning Scheme - No. L42

Warrnambool Planning Scheme - No. L25

Whitehorse Planning Scheme - No. L16  
 Yarra Ranges Planning Scheme - No. L54

South Eastern Regional Waste Management Group - Reports for the years 1994-95 and 1995-96 (four papers).

- 5 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Anglican Welfare Agency Bill
  - Fire Authorities (Amendment) Bill
  - Livestock Disease Control (Amendment) Bill
  - Police and Corrections (Amendment) Bill.
- 6 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Victims of Crime Assistance (Amendment) Bill.
- 7 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the State Taxation Acts (Further Amendment) Bill.
- 8 **FRIENDLY SOCIETIES (VICTORIA) (AMENDMENT) BILL** - Motion made, by leave, and question - That it be an instruction to the Committee that they have power to consider an amendment and New Clause to the Friendly Societies (Victoria) (Amendment) Bill to provide for fees under the Friendly Societies (Victoria) Code to be prescribed by regulation (*Mrs Wade*) - put and agreed to.
- 9 **LAW AND JUSTICE LEGISLATION AMENDMENT BILL** - Pursuant to section 85 of the *Constitution Act 1975* Mrs Wade made a statement of the reasons for altering or varying that section by the insertion of a clause to substitute a new section 6 in the *Crimes (Family Violence) Act 1987*.
- 10 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 6.00 p.m., Friday, 23 May 1997:
- Law and Justice Legislation Amendment Bill
  - Melbourne and Metropolitan Board of Works (Amendment) Bill
  - Environment Conservation Council Bill
  - Friendly Societies (Victoria) (Amendment) Bill
  - State Taxation Acts (Further Amendment) Bill
  - Financial Management (Amendment) Bill
  - Superannuation Acts (Miscellaneous Amendment) Bill
  - Sentencing and Other Acts (Amendment) Bill
  - Miscellaneous Acts (Omnibus No. 3) Bill
  - Project Development and Construction Management (Amendment) Bill
  - Prostitution Control (Amendment) Bill
  - Unclaimed Moneys (Superannuation Benefits) Bill
  - Melbourne City Link (Further Amendment) Bill
  - Infertility Treatment (Amendment) Bill
  - Victims of Crime Assistance (Amendment) Bill

(*Mr Gude*) - after debate, put.

The House divided.

AYES, 53

Mr Ashley	Mr Kilgour	Mr Perrin	Mr Stockdale
Ms Burke	Mr Lean	Mr Perton	Mrs Tehan
Mr Clark	Mr Leigh	Mr Pescott	Mr Thompson
Mr Coleman	Mr Lupton	Mr Phillips	Mr Treasure
Mr Cooper	Mr McArthur	Mr Plowman	Mrs Wade
Dr Dean	Ms McCall	(Benambra)	Mr Wells
Mr Dixon	Mrs McGill	Mr Reynolds	
Mr Doyle	Mr McGrath	Mr Richardson	
Mr Elder	(Wimmera)	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	(Frankston East)	Mrs Shardey	
Mr Gude	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(Glen Waverley)	
Mr Honeywood	(Pakenham)	Mr Smith	
Mr Jasper	Mr Maughan	(Polwarth)	Tellers
Mr Jenkins	Dr Napthine	Mr Spry	Mr Andrighetto
Mr John	Mr Paterson	Mr Steggall	Mrs Peulich

NOES, 29

Mr Andrianopoulos	Mr Cunningham	Mr Langdon	Mr Sheehan
Mr Baker	Ms Davies	Mr Leighton	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Loney	Mrs Wilson
Mr Bracks	Ms Garbutt	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mr Cameron	Mr Hamilton	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Ms Gillett
Mr Carli	Ms Kosky	Mr Savage	Mr Lim

And so it was resolved in the affirmative.

- 11 **LAW AND JUSTICE LEGISLATION AMENDMENT BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

Pursuant to Sessional Orders, Mr Hulls announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment 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 place thereof the words "this House - (a) refuses to read this Bill a second time until - (i) a review of the appeals process under the *Legal Aid Act 1978* has taken place; (ii) the impact on the community of lifting the interest rates that can be charged by pawnbrokers has been assessed; and (iii) the Government enunciates a clear policy in relation to the contracting out of services related to law enforcement and the judiciary; and (b) is of the opinion that the amendments proposed in the Bill to the *Crimes (Family Violence) Act 1987* and the *Summary Offences Act 1966* should be dealt with as separate Bills" (Mr Hulls).

Motion made and question - That the debate be now adjourned (Mr McGrath, Wimmera) - put and agreed to.

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

- 12 **MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr McGrath (*Wimmera*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 13 **ENVIRONMENT CONSERVATION COUNCIL BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mrs Tehan announced that it was proposed to move amendments in Committee 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 place thereof the words "this Bill be withdrawn and redrafted to - (a) allow the Land Conservation Council (LCC) to complete and publish the Marine and Coastal and the Box-Iron Bark Special Investigations; (b) allow for a period of consultation with the community and key interest groups; and (c) include amendments which provide for a guarantee of continuing independence, budget allocations and public participation in the investigation and recommendation process as is currently the case with the LCC." (*Ms Garbutt*) - and, after debate -

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Mrs Tehan*) - 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 Dixon*) - put and agreed to.

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

- 14 **FRIENDLY SOCIETIES (VICTORIA) (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Dr Napthine announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the State Taxation Acts (Amendment) Bill without amendment.

- 16 **LAW AND JUSTICE LEGISLATION AMENDMENT BILL** - 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 place thereof the words "this House - (a) refuses to read this Bill a second time until - (i) a review of the appeals process under the *Legal Aid Act 1978* has taken place; (ii) the impact on the community of lifting the interest rates that can be charged by pawnbrokers has been assessed; and (iii) the Government enunciates a clear policy in relation to the contracting out of services related to law enforcement and the judiciary; and (b) is of the opinion that the amendments proposed in the Bill to the *Crimes (Family Violence) Act 1987* and the *Summary Offences Act 1966* should be dealt with as separate Bills" - debate resumed.

And the House having continued to sit till after 12 midnight -

WEDNESDAY, 21 MAY 1997

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

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

- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the National Electricity (Victoria) Bill without amendment.
- 18 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 19 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 12.55 a.m., adjourned until later this day.

P. J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## No. 56 - Wednesday, 21 May 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Plenty Residential Services Building** - Seeking that the Government - (a) stops the construction of the Plenty Residential Services institution building on the site of the Janefield Training Centre in Bundoora; and (b) that adequate support services be provided for all intellectually disabled residents of institutions, bearing 84 signatures (*by Ms Garbutt*)
  - Public Education System** - Seeking that there be no further cuts to government education and that adequate resources be provided to ensure a properly resourced, high quality system of public education, bearing 40 signatures (*by Mrs Wilson*)
  - Gas and Fuel Corporation** - Seeking that due recognition be made of the contribution by the publicly owned Gas and Fuel Corporation to the social and economic well-being of the Victorian community and that the Government immediately abandon its

proposed privatisation of the Victorian gas industry, bearing 942 signatures (*by Mr Loney*)

**Centenary Hall, Werribee** - Seeking that Centenary Hall be re-opened immediately for use by the residents of Wyndham for a broad range of community based activities, bearing 836 signatures (*by Ms Gillett*).

Severally ordered to lie on the Table.

- 3 **PETITION - GAS AND FUEL CORPORATION** - Motion made and question - That the petition presented by the Member for Geelong North relating to the proposed privatisation of the Victorian gas industry be taken into consideration tomorrow (*Mr Loney*) - put and agreed to.

4 **PAPERS -**

**LAW REFORM COMMITTEE** - Mr Perton, Chairman, brought up the Final Report from the Law Reform Committee upon the Inquiry into the Liability of the State of Victoria and Health Service Providers, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendices to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Melbourne City Link Act 1995 - Order pursuant to section 8(4) increasing the Project area

Parliamentary Committees Act 1968 - Response of the Minister for Roads and Ports on action taken with respect to the recommendations made by the Road Safety Committee's report on the Effect of Drugs (Other than Alcohol) on Road Safety in Victoria.

- 5 **CASINO TENDERING PROCESS AND GAMBLING INDUSTRY STANDARDS** - Motion made and question proposed - That this House condemns the Government for - (a) the mishandling of the casino tendering process; and (b) its "open slather" approach to gambling in Victoria, including inadequate industry standards, the failure to introduce an advertising code of conduct and insufficient support services for problem gamblers (*Mr Bracks*).

*General Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 7 **VETERINARY PRACTICE BILL** - Mr McNamara, after debate, obtained leave with Mr Kennett, to bring in a Bill "to make further provision for the registration of veterinary practitioners, the investigation into the professional conduct or fitness to practise of registered veterinary practitioners, to establish the Veterinary Practitioners Registration Board of Victoria and the Veterinary Practitioners Registration Board Fund, to repeal the *Veterinary Surgeons Act 1958* and to make consequential amendments to other Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 8 **INTRODUCTION AGENTS BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "to regulate introduction agents and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "to amend the *Associations Incorporation Act 1981* and for

*other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 **AUDIT OF THE AUDITOR-GENERAL** - Motion made and question - That, pursuant to section 17 of the *Audit Act 1994*, Mr Douglas N. Bartley of KPMG be appointed to conduct the audit of the Auditor-General's Office in accordance with the conditions of appointment and remuneration contained in Appendix Two of the Report of the Public Accounts and Estimates Committee upon the Appointment of an Auditor to Conduct a Financial Audit of the Victorian Auditor-General's Office (Parliamentary Paper No. 49, Session 1996-97) (*Mr Gude*) - put and agreed to.

Ordered - That a Message be sent to the Legislative Council acquainting them of the said resolution and seeking their concurrence therein.

- 11 **ALPINE RESORTS BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to make provision for the establishment of an Alpine Resorts Co-ordinating Council and three Alpine Resorts Management Boards, to make provision for the establishment and management of several alpine resorts, to repeal the Alpine Resorts Act 1983, to make related amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 12 **MELBOURNE AND OLYMPIC PARKS (AMENDMENT) BILL** - Mr Reynolds obtained leave, with Mrs Wade, to bring in a Bill "*to amend the Melbourne and Olympic Parks Act 1985 to extend the functions of the Melbourne and Olympic Parks Trust and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 13 **STATE TAXATION ACTS (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Honeywood announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 **FINANCIAL MANAGEMENT (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Stockdale announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment circulated.

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

Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 15 **SUPERANNUATION ACTS (MISCELLANEOUS AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until the State Government - (i) presents before Parliament a scheme of arrangement for funding their \$466 million local authorities superannuation black-hole; and (ii) requests the Auditor-General to conduct a full performance audit of compulsory competitive tendering (CCT) and the consequent unfunded superannuation payouts to redundant employees caused by CCT" (*Mr Bracks*) - and, after debate -

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Mr Stockdale*) - put and agreed to.

Debate continued on question - That this Bill be now read a second time.

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

The House divided.

AYES, 53

Mr Andrighetto	Mr Kennet	Mr Paterson	Mr Stockdale
Mr Ashley	Mr Kilgour	Mr Perrin	Mrs Tehan
Ms Burke	Mr Lean	Mr Perton	Mr Thompson
Mr Clark	Mr Leigh	Mr Pescott	Mr Treasure
Mr Coleman	Mr Lupton	Mrs Peulich	Mrs Wade
Mr Cooper	Mr McArthur	Mr Phillips	Mr Wells
Dr Dean	Ms McCall	Mr Plowman	
Mr Doyle	Mrs McGill	( <i>Benambra</i> )	
Mr Elder	Mr McGrath	Mr Richardson	
Mrs Elliott	( <i>Wimmera</i> )	Mr Rowe	
Mr Finn	Mr McLellan	Mr Ryan	
Mr Gude	( <i>Frankston East</i> )	Mr Smith	
Mrs Henderson	Mr McNamara	( <i>Glen Waverley</i> )	
Mr Honeywood	Mr Maclellan	Mr Smith	
Mr Jasper	( <i>Pakenham</i> )	( <i>Polwarth</i> )	<i>Tellers</i>
Mr Jenkins	Mr Maughan	Mr Spry	Mr Dixon
Mr John	Dr Napthine	Mr Steggall	Mrs Shardey

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Mr Dollis	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	
Mr Cameron	Mr Hamilton	Mr Pandazopoulos	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Savage	Ms Davies
Mr Carli	Mr Langdon	Mr Sheehan	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 16 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:  
     Electricity Industry (Miscellaneous Amendment) Bill  
     Gas Industry (Amendment) Bill.
- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Building (Further Amendment) Bill with amendments.  
 Ordered - That the said amendments be printed and taken into consideration forthwith.
- 18 **BUILDING (FURTHER AMENDMENT) BILL** - Order read for the consideration of the amendments made by the Legislative Council.  
 And the said amendments were read a second time and agreed to by the House.  
 Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 19 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Acquainting the Assembly that they have concurred with the Assembly in the appointment of Mr Douglas N Bartley to conduct the financial audit of the Victorian Auditor-General's Office.
- 20 **SENTENCING AND OTHER ACTS (AMENDMENT) BILL** - 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 place thereof the words "this House - (a) refuses to read this Bill a second time until the spirit of the recommendations of Professor David Penington in relation to drug law reform are incorporated in the legislation; and (b) is of the opinion that the amendments proposed in relation to the *Sentencing Act 1991*, particularly as they relate to a Combined Custody and Treatment Order, should be dealt with in a separate Bill" (*Mr Hulls*).  
 And the House having continued to sit till after 12 midnight -  
     THURSDAY, 22 MAY 1997  
 Motion made and question - That the debate be now adjourned (*Mr Andrighetto*) - put and agreed to.  
 Ordered - That the debate be adjourned until later this day.
- 21 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Maclellan, Pakenham*) - put and agreed to.
- 22 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
 And the House, at 1.32 a.m., adjourned until later this day.

P. J. MITHEN  
 Clerk of the Legislative Assembly

S. J. PLOWMAN  
 Speaker

## No. 57 - Thursday, 22 May 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
  - Water Wall - National Gallery of Victoria** - Seeking that the water wall at the entrance to the National Gallery of Victoria be retained in any redesign of the Gallery, bearing 30 signatures (*by Mrs Maddigan*)
  - State School - Korong Vale** - Seeking that the state school at Korong Vale not be merged or closed, bearing 52 signatures (*by Mr Steggall*).
 Severally ordered to lie on the Table.
- 3 **PAPERS** -
  - SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 5 of 1997 on the -
    - Victims of Crime Assistance (Amendment) Bill
    - Melbourne City Link (Further Amendment) Bill
 together with an Appendix.
 

Ordered to lie on the Table and to be printed.
  - PAPER PURSUANT TO STATUTE** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
    - Members of Parliament (Register of Interests) Act 1978 - Summary of Variations notified between 5 December 1996 and 21 May 1997 - Ordered to be printed.
- 4 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Project Development and Construction Management (Amendment) Bill.
- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Friday, 23 May 1997 (*Mr Gude*) - put and agreed to.
- 6 **VICTIMS OF CRIME ASSISTANCE (AMENDMENT) BILL** - 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 (*Dr Dean*) - put and agreed to.

Motion made and question proposed - That the debate be adjourned until later this day (*Mrs Wade*).

Amendment proposed - That all words after "until" be omitted with the view of inserting in place thereof the word "tomorrow" (*Mr Hulls*).

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

The House divided.

AYES, 51

Mr Andrighetto	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Ashley	Mr Lean	Mr Pescott	Mr Treasure
Mr Clark	Mr Leigh	Mrs Peulich	Mrs Wade
Mr Coleman	Mr Lupton	Mr Phillips	Mr Wells
Ms Davies	Mr McArthur	Mr Plowman	
Dr Dean	Mrs McGill	(Benambra)	
Mr Dixon	Mr McGrath	Mr Reynolds	
Mr Doyle	(Wimmera)	Mr Rowe	
Mr Elder	Mr McLellan	Mr Ryan	
Mrs Elliott	(Frankston East)	Mr Savage	
Mr Finn	Mr McNamara	Mrs Shardey	
Mr Gude	Mr Maclellan	Mr Smith	
Mrs Henderson	(Pakenham)	(Glen Waverley)	
Mr Honeywood	Mr Maughan	Mr Smith	
Mr Jasper	Dr Napthine	(Polwarth)	Tellers
Mr Jenkins	Mr Paterson	Mr Spry	Ms Burke
Mr John	Mr Perrin	Mr Steggall	Ms McCall

NOES, 24

Mr Andrianopoulos	Ms Garbutt	Mr Lim	Mrs Wilson
Mr Baker	Ms Gillett	Mr Loney	
Mr Bracks	Mr Hamilton	Mr Micallef	
Mr Brumby	Mr Hulls	Mr Mildenhall	
Mrs Campbell	Ms Kosky	Mr Pandazopoulos	Tellers
Mr Carli	Mr Langdon	Mr Sheehan	Mr Cameron
Mr Cunningham	Mr Leighton	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

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

7 MISCELLANEOUS ACTS (OMNIBUS NO. 3) BILL - 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 place thereof the words "this Bill be withdrawn and redrafted because, while this House does not oppose some of the changes to legislation proposed in the Bill, it is of the opinion that - (a) Bills should not be drafted in this omnibus form because it does not allow the House to properly consider the many and varied propositions contained in the Bill especially when the Bill has been programmed under Sessional Order No. 6 restricting adequate debate; (b) a representative of injured workers should be included on the Board of Management of the Victorian WorkCover Authority; (c) there should be more consultation with electorate officers, the State Public Services Federation and Members of Parliament about Part 8 for the Bill; (d) the amendments to the Melbourne and Metropolitan Board of Works Act 1958 and the Water Industry Act 1994 should specify that only Government Business Enterprises engaged in commercial activity can be declared 'public statutory authorities' for the purposes of the competitive neutrality taxation amendments; and (e) the amendments in Parts 11 and 12 relating to competitive neutrality taxation amendments should not proceed until the Government has promulgated adequate guidelines for outsourcing in public statutory authorities and established an appropriate mechanism for enforcing such guidelines" (Mr Thwaites).

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

Motion made and question proposed - That the debate be adjourned until later this day; and, after debate (*Dr Napthine*).

Motion made and question - That the question be now put (*Mr Perrin*) - put.

The House divided.

AYES, 48

Mr Andrighetto	Mr John	Mr Paterson	Mr Steggall
Mr Ashley	Mr Kilgour	Mr Perrin	Mrs Tehan
Ms Burke	Mr Lean	Mr Perton	Mr Thompson
Mr Clark	Mr Leigh	Mr Pescott	Mr Treasure
Mr Coleman	Mr Lupton	Mr Phillips	Mrs Wade
Dr Dean	Mr McArthur	Mr Plowman	Mr Wells
Mr Dixon	Ms McCall	( <i>Benambra</i> )	
Mr Doyle	Mrs McGill	Mr Richardson	
Mr Elder	Mr McGrath	Mr Rowe	
Mrs Elliott	( <i>Wimmera</i> )	Mr Ryan	
Mr Finn	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	( <i>Glen Waverley</i> )	
Mr Honeywood	( <i>Pakenham</i> )	Mr Smith	<i>Tellers</i>
Mr Jasper	Mr Maughan	( <i>Polwarth</i> )	Mrs Feulich
Mr Jenkins	Dr Napthine	Mr Spry	Mrs Shardey

NOES, 28

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mr Thwaites
Mr Baker	Mr Dollis	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Hamilton	Mr Mildenhall	
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Ms Kosky	Mr Savage	Mr Cameron
Mr Cunningham	Mr Langdon	Mr Sheehan	Mrs Maddigan

And so it was resolved in the affirmative.

Question - That the debate be adjourned until later this day - accordingly put.

The House divided.

AYES, 48

Mr Andrighetto	Mr Kilgour	Mr Perton	Mr Steggall
Mr Ashley	Mr Leigh	Mr Pescott	Mrs Tehan
Ms Burke	Mr Lupton	Mrs Peulich	Mr Thompson
Mr Clark	Mr McArthur	Mr Phillips	Mr Treasure
Mr Coleman	Ms McCall	Mr Plowman	Mrs Wade
Dr Dean	Mrs McGill	(Benambra)	Mr Wells
Mr Doyle	Mr McGrath	Mr Richardson	
Mr Elder	(Wimmera)	Mr Rowe	
Mrs Elliott	Mr McNamara	Mr Ryan	
Mr Finn	Mr Maclellan	Mrs Shardey	
Mrs Henderson	(Pakenham)	Mr Smith	
Mr Honeywood	Mr Maughan	(Glen Waverley)	
Mr Jasper	Dr Napthine	Mr Smith	Tellers
Mr Jenkins	Mr Paterson	(Polwarth)	Mr Dixon
Mr John	Mr Perrin	Mr Spry	Mr Lean

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Mr Dollis	Mr Loney	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mrs Maddigan	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Hamilton	Mr Mildenhall	
Mr Cameron	Mr Hulls	Mr Pandazopoulos	Tellers
Mrs Campbell	Ms Kosky	Mr Savage	Ms Davies
Mr Carli	Mr Langdon	Mr Sheehan	Mr Lim

And so it was resolved in the affirmative.

- 8 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.
- 9 **PROSTITUTION CONTROL (AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until the Government enunciates a clear policy on hearsay evidence" (*Mr Hulls*).

*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 10 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 11 **PROSTITUTION CONTROL (AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until the Government enunciates a clear policy on hearsay evidence".
- Question - That the words proposed to be omitted stand part of the question - put and agreed to.
- Bill read a second time and, by leave, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Friendly Societies (Victoria) (Amendment) Bill with an amendment.
- Ordered - That the said amendment be printed and taken into consideration, by leave, later this day.
- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Melbourne and Metropolitan Board of Works (Amendment) Bill without amendment.
- 14 **VETERINARY PRACTICE BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).
- Mr Gude made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 5 June 1997.
- 15 **INTRODUCTION AGENTS BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 5 June 1997.
- 16 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 5 June 1997.
- 17 **ALPINE RESORTS BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.
- Motion made and question proposed - That the debate be adjourned for two weeks (*Mrs Tehan*).
- Amendment proposed - That the words "two weeks" be omitted with the view of inserting in place thereof the words "six months" (*Ms Garbutt*) - and, after debate -
- Question - That the question be now put (*Mr McArthur*) - put.

The House divided.

AYES, 53

Mr Andrighetto	Mr John	Mr Maughan	Mr Smith
Mr Ashley	Mr Kennett	Dr Napthine	(Polwarth)
Ms Burke	Mr Kilgour	Mr Paterson	Mr Steggall
Mr Clark	Mr Lean	Mr Perrin	Mr Stockdale
Mr Coleman	Mr Leigh	Mr Perton	Mrs Tehan
Ms Davies	Mr Lupton	Mr Pescott	Mr Thompson
Dr Dean	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Dixon	Ms McCall	Mr Phillips	Mrs Wade
Mr Doyle	Mrs McGill	Mr Plowman	
Mr Elder	Mr McGrath	(Benambra)	
Mrs Elliott	(Wimmera)	Mr Reynolds	
Mr Finn	Mr McLellan	Mr Richardson	
Mr Gude	(Frankston East)	Mr Rowe	
Mrs Henderson	Mr McNamara	Mr Ryan	Tellers
Mr Jasper	Mr Maclellan	Mr Savage	Mr Spry
Mr Jenkins	(Pakenham)	Mrs Shardey	Mr Wells

NOES, 25

Mr Andrianopoulos	Mr Carli	Ms Kosky	Mr Sheehan
Mr Baker	Mr Cunningham	Mr Langdon	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Loney	
Mr Bracks	Ms Garbutt	Mrs Maddigan	
Mr Brumby	Ms Gillett	Mr Micallef	Tellers
Mr Cameron	Mr Hamilton	Mr Mildenhall	Mr Leighton
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Mr Lim

And so it was resolved in the affirmative.

Question - That the expression proposed to be omitted stand part of the question - accordingly put and agreed to.

Ordered - That the debate be adjourned until Thursday, 5 June 1997.

- 18 **MELBOURNE AND OLYMPIC PARKS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).

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

Ordered - That the debate be adjourned until Thursday, 5 June 1997.

- 19 **UNCLAIMED MONEYS (SUPERANNUATION BENEFITS) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 20 **MELBOURNE CITY LINK (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Mr Maclellan, Pakenham*) - put and agreed to.

Debate continued on question - That this Bill be now read a second time.

Question - put

The House divided.

AYES, 48

Mr Andrighetto	Mr Kilgour	Mr Perrin	Mr Stockdale
Mr Ashley	Mr Lean	Mr Pescott	Mrs Tehan
Ms Burke	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Clark	Mr Lupton	Mr Phillips	Mr Treasure
Mr Coleman	Mr McArthur	Mr Plowman	Mrs Wade
Ms Davies	Ms McCall	( <i>Benambra</i> )	
Mr Dixon	Mr McGill	Mr Richardson	
Mr Elder	Mr McLellan	Mr Rowe	
Mrs Elliott	( <i>Frankston East</i> )	Mr Ryan	
Mr Gude	Mr McNamara	Mr Savage	
Mrs Henderson	Mr Maclellan	Mrs Shardey	
Mr Jasper	( <i>Pakenham</i> )	Mr Smith	<i>Tellers</i>
Mr Jenkins	Mr Maughan	( <i>Polwarth</i> )	Mr Finn
Mr John	Dr Napthine	Mr Spry	Mr Wells
Mr Kennett	Mr Paterson	Mr Steggall	

NOES, 25

Mr Andrianopoulos	Mr Dollis	Mr Lim	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Batchelor	Mr Hamilton	Mrs Maddigan	
Mr Bracks	Mr Hulls	Mr Micallef	<i>Tellers</i>
Mr Brumby	Ms Kosky	Mr Mildenhall	Mr Cameron
Mrs Campbell	Mr Langdon	Mr Pandazopoulos	Mr Carl
Mr Cunningham	Mr Leighton	Mr Sheehan	

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 21 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Appropriation (1997/98) Bill  
Appropriation (Parliament 1997/98) Bill.

- 22 **VICTIMS OF CRIME ASSISTANCE (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 23 **MISCELLANEOUS ACTS (OMNIBUS NO. 3) BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted because, while this House does not oppose some of the changes to legislation proposed in the Bill, it is of the opinion that - (a) Bills should not be drafted in this omnibus form because it does not allow the House to properly consider the many and varied propositions contained in the Bill especially when the Bill has been programmed under Sessional Order No. 6 restricting adequate debate; (b) a representative of injured workers should be included on the Board of Management of the Victorian WorkCover Authority; (c) there should be more consultation with electorate officers, the State Public Services Federation and Members of Parliament about Part 8 for the Bill; (d) the amendments to the *Melbourne and Metropolitan Board of Works Act 1958* and the *Water Industry Act 1994* should specify that only Government Business Enterprises engaged in commercial activity can be declared 'public statutory authorities' for the purposes of the competitive neutrality taxation amendments; and (e) the amendments in Parts 11 and 12 relating to competitive neutrality taxation amendments should not proceed until the Government has promulgated adequate guidelines for outsourcing in public statutory authorities and established an appropriate mechanism for enforcing such guidelines"; debate resumed.

And the House having continued to sit till after 12 midnight -

FRIDAY, 23 MAY 1997

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

The House divided.

AYES, 49

Mr Andrighetto	Mr Kennett	Dr Napthine	Mr Spry
Mr Ashley	Mr Kilgour	Mr Paterson	Mr Steggall
Mr Clark	Mr Lean	Mr Perrin	Mr Stockdale
Mr Coleman	Mr Leigh	Mr Perton	Mrs Tehan
Dr Dean	Mr Lupton	Mrs Peulich	Mr Thompson
Mr Dixon	Mr McArthur	Mr Phillips	Mr Treasure
Mr Doyle	Mrs McGill	Mr Plowman	Mr Wells
Mr Elder	Mr McGrath	(Benambra)	
Mrs Elliott	(Wimmera)	Mr Reynolds	
Mr Finn	Mr McLellan	Mr Richardson	
Mr Gude	(Frankston East)	Mr Rowe	
Mrs Henderson	Mr McNamara	Mr Savage	
Mr Jasper	Mr Maclellan	Mrs Shardey	Tellers
Mr Jenkins	(Pakenham)	Mr Smith	Ms Burke
Mr John	Mr Maughan	(Polwarth)	Ms McCall

NOES, 26

Mr Andrianopoulos	Mr Carli	Ms Kosky	Mr Sheehan
Mr Baker	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Batchelor	Ms Davies	Mr Lim	Mrs Wilson
Mr Bracks	Mr Dollis	Mr Loney	
Mr Brumby	Ms Garbutt	Mr Micallef	Tellers
Mr Cameron	Mr Hamilton	Mr Mildenhall	Mr Langdon
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Mrs Maddigan

And so it was resolved in the affirmative - Bill read a second time.

Ordered - To be committed later this day.

Motion made and question - That it be an instruction to the Committee that they divide the Miscellaneous Acts (Omnibus No. 3) Bill into five Bills as follows:

- (a) A Treasury and Finance Acts (Amendment) Bill being the Miscellaneous Acts (Omnibus No. 3) Bill with the following changes:

- (i) Long title as follows:

"A Bill to amend the **Accident Compensation Act 1985**, the **Accident Compensation Act (Further Amendment) Act 1996**, the **Borrowing and Investments Powers Act 1987**, the **Melbourne and Metropolitan Board of Works Act 1958**, the **State Owned Enterprises Act 1992** and the **Water Act Industry Act 1994** and for other purposes.";

- (ii) Part 1 and Clauses 1 and 2 as follows:

**"PART 1 - PRELIMINARY**

**1. Purpose.**

The purpose of this Act is to amend the **Accident Compensation Act 1985**, the **Accident Compensation Act (Further Amendment) Act 1996**, the **Borrowing and Investments Powers Act 1987**, the **Melbourne and Metropolitan Board of Works Act 1958**, the **State Owned Enterprises Act 1992** and the **Water Act Industry Act 1994**.

**2. Commencement.**

This Act comes into operation on the day on which it receives the Royal Assent."

- (iii) Parts 2, 3 and 4 of the Bill;

- (iv) Relevant Part Headings to be renumbered 5 to 7, Clauses 18, 35 to 38 of the Miscellaneous Acts (Omnibus No. 3) Bill renumbered as 9 to 13 and inserted under relevant Part Headings;

- (b) A Health Acts (Miscellaneous Amendment) Bill being the Miscellaneous Acts (Omnibus No. 3) Bill with the following changes:

- (i) Long title as follows:

"A Bill to amend the **Cancer Act 1958** and the **Pharmacists Act 1974** and for other purposes.";

- (ii) Part 1 and Clauses 1 and 2 as follows:

**"PART 1 - PRELIMINARY**

**1. Purpose.**

The purpose of this Act is to amend the **Cancer Act 1958** and the **Pharmacists Act 1974**.

**2. Commencement.**

- (1) Except as otherwise provided in this section, this Act comes into operation on the day on which it receives the Royal Assent.

- (2) Subject to sub-section (3), the provisions of sections 4, 5, 6 and 7 come into operation on a day or days to be proclaimed.

- (3) If a provision referred to in sub-section (2) does not come into operation before 31 December 1997, it comes into operation on that day.";

- (iii) Relevant Part Headings to be renumbered 2 and 3, Clauses 9 to 13 and 21 of the Miscellaneous Acts (Omnibus No. 3) Bill renumbered as 3 to 8 and inserted under relevant Part Headings;
- (c) An Agriculture and Resources Acts (Amendment) Bill being the Miscellaneous Acts (Omnibus No. 3) Bill with the following changes:
  - (i) Long title as follows:
 

**"A Bill to amend the Dried Fruits Act 1958 and the Plant Health and Plant Products Act 1995 and for other purposes."**;
  - (ii) Part 1 and Clauses 1 and 2 as follows:
 

**"PART 1 - PRELIMINARY**

**1. Purpose.**

The purpose of this Act is to amend the **Dried Fruits Act 1958** and the **Plant Health and Plant Products Act 1995** .

**2. Commencement.**

This Act comes into operation on the day on which it receives the Royal Assent.";
  - (iii) Relevant Part Headings to be renumbered 2 and 3, Clauses 14 to 17 and 22 to 34 of the Miscellaneous Acts (Omnibus No. 3) Bill renumbered as 3 to 19 and inserted under relevant Part Headings;
- (d) A Parliamentary Officers (Amendment) Bill being the Miscellaneous Acts (Omnibus No. 3) Bill with the following changes:
  - (i) Long title as follows:
 

**"A Bill to amend the Parliamentary Officers Act 1975 and for other purposes."**;
  - (ii) Part 1 and Clauses 1 and 2 as follows:
 

**"PART 1 - PRELIMINARY**

**1. Purpose.**

The purpose of this Act is to amend the **Parliamentary Officers Act 1975**.

**2. Commencement.**

This Act comes into operation on the day on which it receives the Royal Assent.";
  - (iii) Clauses 19 and 20, omit **"Part 8 of the Miscellaneous Acts (Omnibus No. 3) Act 1997"** and insert **"Parliamentary Officers (Amendment) Act 1997"**;
  - (iv) Relevant Part Heading to be renumbered 2, Clauses 19 and 20 of the Miscellaneous Acts (Omnibus No. 3) Bill renumbered as 3 and 4 and inserted under relevant Part Heading;
- (e) A Zoological Parks and Gardens (Amendment) Bill being the Miscellaneous Acts (Omnibus No. 3) Bill with the following changes:
  - (i) Long title as follows:
 

**"A Bill to amend the Zoological Parks and Gardens Act 1995 and for other purposes."**;

(ii) Part 1 and Clauses 1 and 2 as follows:

**"PART 1 - PRELIMINARY**

**1. Purpose.**

The purpose of this Act is to amend the **Zoological Parks and Gardens Act 1995**.

**2. Commencement.**

(2) Subject to sub-section (3), this Act comes into operation on the day on which it receives the Royal Assent.

(3) Section 4 is deemed to have come into operation on 29 April 1996.";

(iii) Relevant Part Heading to be renumbered 2, Clauses 39 and 40 of the Miscellaneous Acts (Omnibus No. 3) Bill renumbered as 3 and 4 and inserted under relevant Part Heading; and

(f) That each Bill may be reported separately to the House (*Mr Thwaites*) - and, after debate -

Question - That the motion be agreed to - put.

The House divided.

AYES, 26

Mr Andrianopoulos	Mr Carli	Ms Kosky	Mr Sheehan
Mr Baker	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Batchelor	Ms Davies	Mr Lim	Mrs Wilson
Mr Bracks	Mr Dollis	Mr Loney	
Mr Brumby	Ms Garbutt	Mr Micallef	<i>Tellers</i>
Mr Cameron	Mr Hamilton	Mr Mildenhall	Mr Langdon
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Mrs Maddigan

Noes, 50

Mr Andrighetto	Mr Kilgour	Dr Napthine	Mr Steggall
Mr Ashley	Mr Lean	Mr Paterson	Mr Stockdale
Mr Clark	Mr Leigh	Mr Perrin	Mrs Tehan
Mr Coleman	Mr Lupton	Mr Perton	Mr Thompson
Dr Dean	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Dixon	Mrs McGill	Mr Phillips	Mr Wells
Mr Doyle	Mr McGrath	Mr Plowman	
Mr Elder	<i>(Warrnambool)</i>	<i>(Benambra)</i>	
Mrs Elliott	Mr McGrath	Mr Reynolds	
Mr Finn	<i>(Wimmera)</i>	Mr Richardson	
Mr Gude	Mr McLellan	Mr Rowe	
Mrs Henderson	<i>(Frankston East)</i>	Mr Savage	
Mr Jasper	Mr McNamara	Mrs Shardey	
Mr Jenkins	Mr Maclellan	Mr Smith	<i>Tellers</i>
Mr John	<i>(Pakenham)</i>	<i>(Polwarth)</i>	Mrs Burke
Mr Kennett	Mr Maughan	Mr Spry	Ms McCall

And so it passed in the negative.

Bill committed; considered in Committee and reported without amendment; read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 24 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Dr Napthine*) - put and agreed to.
- 25 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 1.25 a.m., adjourned until later this day.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 58 - Friday, 23 May 1997

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:

**F18 Freeway Reservation** - Seeking that the Government will act to preserve the F18 Freeway Reservation from development through a land swap with the Banyule City Council, bearing 152 signatures (*by Mr Langdon*).

Ordered to lie on the Table.

- 3 **PAPERS** -

Mrs Wade presented by Command of His Excellency the Governor:

Supreme Court Judges - Report for the year 1996  
County Court - Report for the year 1995-96  
Council of Magistrates - Report for the year 1995-96.

Ordered to lie on the Table.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Drugs, Poisons and Controlled Substances Act 1981 - Poisons Code - Amendment No. 2 to the Standard for the Uniform Scheduling of Drugs and Poisons No. 11 and Notice regarding the amendment, commencement and availability of the Poisons Code (two papers)

Parliamentary Committees Act 1968 -

Response of the Attorney-General on action taken with respect to the recommendations made by the Drugs and Crime Prevention Committee's Final Report into Sexual Offences Against Children and Adults entitled *Combating Sexual Assault Against Adult Men and Women*

Response of the Attorney-General on action taken with respect to the recommendations made by the Law Reform Committee's Final Report - Jury Service in Victoria - Volume 1

Victoria Law Foundation - Report for the year ended 30 September 1996.

The following proclamation fixing an operative date was laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Police and Corrections (Amendment) Act 1997 - Part 3; the remaining provisions of Part 4 (except sections 32 and 33); Part 6 (except section 55) on 22 May 1997 (*Gazette No. G20, 22 May 1997*).

- 4 **FRIENDLY SOCIETIES (VICTORIA) (AMENDMENT) BILL** - Order read for the consideration of the amendment made by the Legislative Council.

And the said amendment was read a second time and, after debate, agreed to by the House.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendment.

- 5 **INFERTILITY TREATMENT (AMENDMENT) BILL** - 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, read a third time forthwith.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.

- 6 **PROJECT DEVELOPMENT AND CONSTRUCTION MANAGEMENT (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Dr Napthine announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 7 **SENTENCING AND OTHER ACTS (AMENDMENT) BILL** - 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 place thereof the words "this House - (a) refuses to read this Bill a second time until the spirit of the recommendations of Professor David Penington in relation to drug law reform are incorporated in the legislation; and (b) is of the opinion that the amendments proposed in relation to the *Sentencing Act 1991*, particularly as they relate to a Combined Custody and Treatment Order, should be dealt with in a separate Bill"; debate resumed.

*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 8 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 9 **SENTENCING AND OTHER ACTS (AMENDMENT) BILL** - 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 place thereof the words "this House - (a) refuses to read this Bill a second time until the spirit of the recommendations of Professor David Penington in relation to drug law reform are incorporated in the legislation; and (b) is of the opinion that the amendments proposed in relation to the *Sentencing Act 1991*,

particularly as they relate to a Combined Custody and Treatment Order, should be dealt with in a separate Bill".

*Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of the House on Tuesday, 20 May 1997 had expired.*

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

The House divided.

AYES, 51

Mr Andrighetto	Mr Kilgour	Mr Maughan	Mr Spry
Mr Ashley	Mr Lean	Dr Napthine	Mr Steggall
Ms Burke	Mr Leigh	Mr Paterson	Mr Stockdale
Mr Clark	Mr Lupton	Mr Perrin	Mrs Tehan
Mr Coleman	Mr McArthur	Mr Perton	Mr Treasure
Ms Davies	Ms McCall	Mr Pescott	Mrs Wade
Dr Dean	Mrs McGill	Mrs Peulich	Mr Wells
Mr Dixon	Mr McGrath	Mr Phillips	
Mr Doyle	(Warrnambool)	Mr Plowman	
Mr Elder	Mr McGrath	(Benambra)	
Mrs Elliott	(Wimmera)	Mr Richardson	
Mr Gude	Mr McLellan	Mr Rowe	
Mrs Henderson	(Frankston East)	Mr Savage	
Mr Jasper	Mr McNamara	Mrs Shardey	Tellers
Mr Jenkins	Mr Maclellan	Mr Smith	Mr Finn
Mr Kennett	(Pakenham)	(Polwarth)	Mr Thompson

NOES, 25

Mr Andrianopoulos	Mr Cunningham	Mr Lim	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Batchelor	Mr Hamilton	Mrs Maddigan	
Mr Bracks	Mr Hulls	Mr Micallef	
Mr Brumby	Ms Kosky	Mr Mildenhall	Tellers
Mr Cameron	Mr Langdon	Mr Pandazopoulos	Mr Carli
Mrs Campbell	Mr Leighton	Mr Sheehan	Ms Gillett

And so it was resolved in the affirmative.

Question - That this Bill be now read a second and third time and be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 10 **LAW AND JUSTICE LEGISLATION AMENDMENT BILL** - 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 place thereof the words "this House - (a) refuses to read this Bill a second time until - (i) a review of the appeals process under the *Legal Aid Act 1978* has taken place; (ii) the impact on the community of lifting the interest rates that can be charged by pawnbrokers has been assessed; and (iii) the Government enunciates a clear policy in relation to the contracting out of services related to law enforcement and the judiciary; and (b) is of the opinion that the amendments proposed in the Bill to the *Crimes (Family Violence) Act 1987* and the *Summary Offences Act 1966* should be dealt with as separate Bills".

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

The House divided.

AYES, 51

Mr Andrighetto	Mr Kilgour	Mr Maughan	Mr Spry
Mr Ashley	Mr Lean	Dr Napthine	Mr Steggall
Ms Burke	Mr Leigh	Mr Paterson	Mr Stockdale
Mr Clark	Mr Lupton	Mr Perrin	Mrs Tehan
Mr Coleman	Mr McArthur	Mr Perton	Mr Treasure
Ms Davies	Ms McCall	Mr Pescott	Mrs Wade
Dr Dean	Mrs McGill	Mrs Peulich	Mr Wells
Mr Dixon	Mr McGrath	Mr Phillips	
Mr Doyle	(Warrnambool)	Mr Plowman	
Mr Elder	Mr McGrath	(Benambra)	
Mrs Elliott	(Wimmera)	Mr Richardson	
Mr Gude	Mr McLellan	Mr Rowe	
Mrs Henderson	(Frankston East)	Mr Savage	
Mr Jasper	Mr McNamara	Mrs Shardey	<i>Tellers</i>
Mr Jenkins	Mr Maclellan	Mr Smith	Mr Finn
Mr Kennett	(Pakenham)	(Polwarth)	Mr Thompson

NOES, 25

Mr Andrianopoulos	Mr Cunningham	Mr Lim	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Batchelor	Mr Hamilton	Mrs Maddigan	
Mr Bracks	Mr Hulls	Mr Micallef	<i>Tellers</i>
Mr Brumby	Ms Kosky	Mr Mildenhall	Mr Carli
Mr Cameron	Mr Langdon	Mr Pandazopoulos	Ms Gillett
Mrs Campbell	Mr Leighton	Mr Sheehan	

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Question - That Government amendments Nos. 1 to 18 inclusive be agreed to - put and agreed to.

Question - That this Bill be now read a third time - put.

The House divided.

AYES, 50

Mr Ashley	Mr Lean	Dr Naphine	Mr Stockdale
Ms Burke	Mr Leigh	Mr Paterson	Mrs Tehan
Mr Clark	Mr Lupton	Mr Perrin	Mr Thompson
Mr Coleman	Mr McArthur	Mr Perton	Mr Treasure
Dr Dean	Ms McCall	Mr Pescott	Mrs Wade
Mr Dixon	Mrs McGill	Mrs Peulich	Mr Wells
Mr Doyle	Mr McGrath	Mr Plowman	
Mr Elder	(Warrnambool)	(Benambra)	
Mrs Elliott	Mr McGrath	Mr Richardson	
Mr Finn	(Wimmera)	Mr Rowe	
Mr Gude	Mr McLellan	Mr Savage	
Mrs Henderson	(Frankston East)	Mrs Shardey	
Mr Jasper	Mr McNamara	Mr Smith	
Mr Jenkins	Mr Maclellan	(Polwarth)	Tellers
Mr Kennett	(Pakenham)	Mr Spry	Mr Andrighetto
Mr Kilgour	Mr Maughan	Mr Steggall	Mr Phillips

NOES, 26

Mr Andrianopoulos	Mr Carli	Ms Kosky	Mr Sheehan
Mr Baker	Mr Cunningham	Mr Langdon	Mr Thwaites
Mr Batchelor	Ms Davies	Mr Leighton	Mrs Wilson
Mr Bracks	Ms Garbutt	Mr Loney	
Mr Brumby	Ms Gillett	Mr Micallef	Tellers
Mr Cameron	Mr Hamilton	Mr Mildenhall	Mr Lim
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 11 ENVIRONMENT CONSERVATION COUNCIL BILL - 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 place thereof the words "this Bill be withdrawn and redrafted to - (a) allow the Land Conservation Council (LCC) to complete and publish the Marine and Coastal and the Box-Iron Bark Special Investigations; (b) allow for a period of consultation with the community and key interest groups; and (c) include amendments which provide for a guarantee of continuing independence, budget allocations and public participation in the investigation and recommendation process as is currently the case with the LCC".

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

The House divided.

AYES, 49

Mr Andrighetto	Mr Kennett	Dr Napthine	Mr Steggall
Mr Ashley	Mr Kilgour	Mr Paterson	Mr Stockdale
Ms Burke	Mr Lean	Mr Perrin	Mrs Tehan
Mr Clark	Mr Leigh	Mr Perton	Mr Thompson
Mr Coleman	Mr Lupton	Mr Pescott	Mr Treasure
Dr Dean	Mr McArthur	Mrs Peulich	Mrs Wade
Mr Dixon	Ms McCall	Mr Phillips	Mr Wells
Mr Doyle	Mr McGrath	Mr Plowman	
Mr Elder	(Warrnambool)	(Benambra)	
Mrs Elliott	Mr McGrath	Mr Richardson	
Mr Finn	(Wimmera)	Mr Rowe	
Mr Gude	Mr McNamara	Mrs Shardey	<i>Tellers</i>
Mrs Henderson	Mr Maclellan	Mr Smith	Mrs McGill
Mr Jasper	(Pakenham)	(Polwarth)	Mr McLellan
Mr Jenkins	Mr Maughan	Mr Spry	(Frankston East)

NOES, 27

Mr Andrianopoulos	Ms Davies	Mr Lim	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Loney	
Mr Batchelor	Ms Gillett	Mrs Maddigan	
Mr Bracks	Mr Hamilton	Mr Micallef	
Mr Brumby	Mr Hulls	Mr Mildenhall	
Mrs Campbell	Ms Kosky	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Mr Langdon	Mr Sheehan	Mr Cameron
Mr Cunningham	Mr Leighton	Mr Thwaites	Mr Savage

And so it resolved in the affirmative.

Question - That this Bill be read now a second time, Government amendments 1 to 12 inclusive be agreed to, the Bill be now read a third time and be transmitted to the Legislative Council and their concurrence desired therein - put.

The House divided.

AYES, 49

Mr Andrighetto	Mr Kennett	Dr Napthine	Mr Steggall
Mr Ashley	Mr Kilgour	Mr Paterson	Mr Stockdale
Ms Burke	Mr Lean	Mr Perrin	Mrs Tehan
Mr Clark	Mr Leigh	Mr Perton	Mr Thompson
Mr Coleman	Mr Lupton	Mr Pescott	Mr Treasure
Dr Dean	Mr McArthur	Mrs Peulich	Mrs Wade
Mr Dixon	Ms McCall	Mr Phillips	Mr Wells
Mr Doyle	Mr McGrath	Mr Plowman	
Mr Elder	(Warrnambool)	(Benambra)	
Mrs Elliott	Mr McGrath	Mr Richardson	
Mr Finn	(Wimmera)	Mr Rowe	
Mr Gude	Mr McNamara	Mrs Shardey	Tellers
Mrs Henderson	Mr Maclellan	Mr Smith	Mrs McGill
Mr Jasper	(Pakenham)	(Polwarth)	Mr McLellan
Mr Jenkins	Mr Maughan	Mr Spry	(Frankston East)

NOES, 27

Mr Andrianopoulos	Ms Davies	Mr Lim	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Loney	
Mr Batchelor	Ms Gillett	Mrs Maddigan	
Mr Bracks	Mr Hamilton	Mr Micallief	
Mr Brumby	Mr Hulls	Mr Mildenhall	
Mrs Campbell	Ms Kosky	Mr Pandazopoulos	Tellers
Mr Carli	Mr Langdon	Mr Sheehan	Mr Cameron
Mr Cunningham	Mr Leighton	Mr Thwaites	Mr Savage

And so it was resolved in the affirmative.

- 12 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified in writing to each member of the House (*Mr Gude*) - put, after debate and agreed to.
- 13 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 14 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 7.38 p.m., adjourned until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified in writing to each member of the House.

P. J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS

Nos. 59, 60 and 61

### No. 59 - Tuesday, 16 September 1997

- 1 The House met pursuant to the terms of the resolution of 23 May 1997, Mr Speaker having fixed this day at Two o'clock as the time of meeting - Mr Speaker took the Chair and read the Prayer.
- 2 **DEATH OF THE HONOURABLE LESLIE GEORGE NORMAN** - Motion made and question - That this House expresses its sincere sorrow at the death of The Honourable Leslie George Norman, 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 Glen Iris from November 1947 to October 1952 and Minister without Portfolio in 1950, Leader of the Opposition December 1951 to July 1952 and Member of the Printing Committee 1947-48, 1949 (*Mr Kennett*) - put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 3 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 4 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
  - Disability Resources and Services Inc** - Seeking that funding be granted to Disability Resources & Services Inc. located in the Grampians region, bearing 67 signatures (*by Mr Traynor*)
  - Monterey Secondary College** - Seeking that action is taken to begin construction of suitable facilities in Carrum Downs with the view of relocating Monterey Secondary College from its present location in Frankston North, bearing 1879 signatures (*by Mr Rowe*)
  - National Gallery of Victoria - Water Wall** - Seeking that the water wall at the entrance to the National Gallery of Victoria be retained in any redesign of the Gallery, bearing 11 signatures (*by Mrs Maddigan*)
  - Program for Heroin Addicts** - Seeking that the Government send appropriately qualified people to Israel to study, evaluate and learn the program to help heroin addicts in order to set up trials in Australia, bearing 15 signatures (*by Mr Smith, Glen Waverley*)
  - Mulgrave Freeway and Mazenod College - Noise Barriers** - Seeking that noise barriers be installed between the Mulgrave Freeway and Mazenod College, bearing 308 signatures (*by Mr Smith, Glen Waverley*)
  - F18 Freeway Reservation** - Seeking that the Government will act to preserve the F18 Freeway Reservation from development through a land swap with the Banyule City Council, bearing 28 signatures (*by Mr Langdon*)

**Alexandra Claire McKay** - Seeking that integration aide assistance be granted to Alexandra Claire McKay, a child with special needs and a pervasive developmental disorder, bearing 181 signatures (*by Mr Langdon*)

**Waverley Park** - Seeking that the House - (a) do all in its powers to ensure the long-term viability of Waverley Park as an AFL venue; (b) work with the AFL to improve car and bus access to the Park; and (c) assist in upgrading amenities at the ground, bearing 665 signatures (*by Mrs Elliott*)

**Moe and Surrounding Communities - Development Support** - Seeking that special development support be provided to promote the positive aspects of Moe and surrounding communities with a view to attracting new industry and residences to the region and providing the community with the means to counter negative media articles, bearing 200 signatures (*by Mr Andrighetto*)

**Material Classified 'X'** - Seeking that the House legalise the sale or exhibition of material classified 'X' (non-violent erotica) from restricted premises only to adults over the age of 18 years bearing 1,716 signatures (*by Mr Paterson*).

Severally ordered to lie on the Table.

## 5 PAPERS -

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 6 of 1997 on the -

Veterinary Practice Bill  
 Introduction Agents Bill  
 Melbourne and Olympic Parks (Amendment) Bill  
 Associations Incorporation (Amendment) Bill  
 Alpine Resorts Bill  
 Taxation Administration Bill  
 Health Services (Community Health Centres) Bill  
 Fire Authorities (Amendment) Bill  
 Miscellaneous Acts (Omnibus No. 3) Bill  
 Infertility Treatment (Amendment) Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Border Groundwaters Agreement Review Committee - Report for the year 1995-96

Chiropractors and Osteopaths Registration Board - Report for the year 1996

CitiPower Ltd - Financial Statements for the three months ended 30 September 1995

Constitution Act Amendment Act 1958 -

Report on the Gippsland West District By-Election, 1 February 1997

Statements of functions conferred on the Electoral Commissioner, dated 27 May 1997, 1 July 1997, 8 July 1997 and 12 August 1997 (four papers)

Crown Land (Reserves) Act 1978 - Section 17DA Order granting, under section 17D, a lease in the Parish of Warrenheip

Drugs, Poisons and Controlled Substances Act 1981 - Documents pursuant to section 12H -

Poisons Code - Amendment No. 3, Part B, to the Standard for the Uniform Scheduling of Drugs and Poisons No. 11 and Notice regarding the amendment, commencement and availability of the Poisons Code

Standard for the Uniform Scheduling of Drugs and Poisons No. 11 (*in lieu of Poisons Code previously tabled*), Amendment Nos. 1, 2 and 3 and Notice regarding the preparation, substitution, commencement and availability of the Poisons Code

Energy Brix Australia Corporation Pty Ltd - Financial Statement for the period ended 13 September 1996

Financial Management Act 1994 - Report of the Minister for Health that he had received the 1996 Annual Report of the Psychologists Registration Board of Victoria

Gaming Machine Control Act 1991 - Victorian Casino and Gaming Authority Rules 1997

Hazelwood Power Corporation Pty Ltd - Financial Statement for the period ended 13 September 1996

Judicial Remuneration Tribunal - Report on Tribunals' Salaries and Allowances, 30 April 1997

Local Government Act 1989 - Order in Council suspending Councillors and appointing an Administrator to the Darebin City Council, 11 June 1997

Melbourne City Link Act 1995 -

Orders pursuant to section 8(4) decreasing and increasing the project area (eight papers)

Statement of Variation No. 4/1997 - Integration of the Exhibition Street Extension Project with the Melbourne City Link Project

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

Alexandra Planning Scheme - No. L39

All Planning Schemes - Nos. R132, S44, S55, SL4

Bacchus Marsh Planning Scheme - No. L55

Bairnsdale (Shire) Planning Scheme - Nos. L60, L61

Ballan Planning Scheme - No. L17

Ballarat Planning Scheme - Nos. L26, L31

Banyule Planning Scheme - Nos. L8 Part 2, L13

Bass Planning Scheme - No. L37

Bayside Planning Scheme - Nos. L1, L2

Belfast Planning Scheme - No. L3

Berwick Planning Scheme - Nos. L120, L121, L122, L127

Boroondara Planning Scheme - Nos. L18, L21, L26, L30, L31, L32

Brimbank Planning Scheme - Nos. L18, L25, L26, L29, L33, L39

Central Goldfields Planning Scheme - No. L1

Chiltern Planning Scheme - No. L28

Colac Otway Planning Scheme - Nos. L3, L11, L14

Cranbourne Planning Scheme - Nos. L168, L184, L197, L198, L201, L203, L209

Darebin Planning Scheme - Nos. L29, L33, L45, L47, L48, L49, L50, L53

Delatite Planning Scheme - No. L8

Dimboola Planning Scheme - Nos. L7, L8

Doncaster and Templestowe Planning Scheme - Nos. L115, L117, L118, L119, L120

Flinders Planning Scheme - Nos. L148, L155

Frankston Planning Scheme - Nos. L80, L85, L89, L98  
 Glen Eira Planning Scheme - Nos. L1, L2, L5, L9, L11, L16, L19  
 Golden Plains Planning Scheme - No. L6  
 Greater Bendigo Planning Scheme - No. L59  
 Greater Dandenong Planning Scheme - Nos. L10, L11  
 Greater Geelong Planning Scheme - Nos. L177, R33, R162, R176, R179, R204, RL186  
 Part 1, RL195  
 Hastings Planning Scheme - No. L58 Part 2  
 Hobsons Bay Planning Scheme - No. L5  
 Hume Planning Scheme - Nos. L11, L16, L21, L24, L29, L31, L32, L33, L34  
 Kingston Planning Scheme - Nos. L25, L26, L27, L30, L32  
 Knox Planning Scheme - Nos. L107 Part 1, L116, L120, L124, L130, L135, L136, L140  
 Korumburra Planning Scheme - No. L69  
 Lowan Planning Scheme - No. L16  
 Macedon Ranges Planning Scheme - Nos. L15, L18, L19  
 Maribyrnong Planning Scheme - Nos. L7, L21, L24, L25, L26  
 MaroonDAH Planning Scheme - Nos. L15, L18  
 Melbourne Planning Scheme - Nos. L186, L188, L189, L230, L231, L250, L262, L263,  
 L264, L265, L267, L269, L282  
 Melton Planning Scheme - Nos. L54, L63, L79, L82  
 Mildura City Planning Scheme - No. L55  
 Mildura Shire Planning Scheme - Nos. L43, L44  
 Mirboo Planning Scheme - No. L16  
 Moe Planning Scheme - Nos. L40, L41  
 Moira Planning Scheme - No. L16  
 Monash Planning Scheme - Nos. L19, L20, L23, L24, L27, L29, L30, L33  
 Moonee Valley Planning Scheme - Nos. L4, L20, L21, L22, L25, L29  
 Moreland Planning Scheme - Nos. L32, L35, L37, L42, L43, L44, L45, L46, L50  
 Mornington Planning Scheme - Nos. L72, L80, L82, L83  
 Morwell Planning Scheme - No. L60  
 Nillumbik Planning Scheme - Nos. L5, L8, L10  
 Pakenham Planning Scheme - Nos. L135, L136, L138, L139, L149  
 Phillip Island Planning Scheme - Nos. L66, L70  
 Port Fairy Planning Scheme - No. L15  
 Port of Melbourne Planning Scheme - Nos. L22, L23, L24  
 Port Phillip Planning Scheme - Nos. L6 Part 1, L44, L49, L50, L51, L53, L54 Part 1  
 Ripon Planning Scheme - No. L16  
 Rodney Planning Scheme - Nos. L95, L99  
 Shepparton Shire Planning Scheme - No. L78  
 Sherbrooke Planning Scheme - Nos. L108, L126, L127, L128  
 Stawell (City) Planning Scheme - No. L31  
 Stonnington Planning Scheme - No. L15  
 Surf Coast Planning Scheme - No. R49  
 Swan Hill City Planning Scheme - No. L22  
 Traralgon (City) Planning Scheme - No. L63  
 Victoria Planning Provisions - No. V1  
 Warragul Planning Scheme - No. L57  
 Warrnambool Planning Scheme - Nos. L17 Part B, L27  
 Werribee Planning Scheme - Nos. L93, L108, L109, L111, L112, L114, L118  
 Whitehorse Planning Scheme - Nos. L13, L24  
 Whittlesea Planning Scheme - No. L130, L134, L135, L137, L138, L150  
 Wodonga Rural City Planning Scheme - No. L10  
 Yarra Planning Scheme - Nos. L8, L30, L44, L45

Yarra Ranges Planning Scheme - Nos. L16 Part 1, L42, L43, L48, L51, L57, L62 Part 1, L63, L67, L73

Yea Planning Scheme - Nos. L12, L13

Queen Victoria Medical Centre (Guarantees) Act 1982 - Notice pursuant to section 6

Standing Review and Advisory Committee on Infertility - Report for the year 1996

Statutory Rules under the following Acts:

Administrative Appeals Tribunal Act 1984 - S.R. Nos. 45, 87

Alpine Resorts Act 1983 - S.R. Nos. 38, 39

Audit Act 1994 - S.R. No. 56

Borrowing and Investment Powers Act 1987 - S.R. No. 58

Building Act 1993 - S.R. Nos. 67, 79

Chiropractors Registration Act 1996 - S.R. No. 77

Club Keno Act 1993 - S.R. No. 85

Conservation, Forests and Lands Act 1987 - S.R. No. 40

Crimes Act 1958 - S.R. No. 89

Dentists Act 1972 - S.R. No. 80

Drugs, Poisons and Controlled Substances Act 1981 - S.R. No. 75

Estate Agents Act 1980 - S.R. Nos. 41, 50

Financial Institutions Duty Act 1982 - S.R. No. 63

Financial Management Act 1994 - S.R. No. 57

Fisheries Act 1968 - S.R. Nos. 44, 53, 72, 83

Intellectually Disabled Persons' Services Act 1986 - S.R. No. 59

Legal Practice Act 1996 - S.R. Nos. 74, 88

Liquor Control Act 1987 - S.R. No. 43

Livestock Disease Control Act 1994 - S.R. No. 54

Local Government Act 1989 - S.R. No. 51

Lotteries Gaming and Betting Act 1966 - S.R. No. 47

Magistrates' Court Act 1989 - S.R. No. 81

Metropolitan Fire Brigades Act 1958 - S.R. No. 84

Optometrists Registration Act 1996 - S.R. No. 78

Osteopaths Registration Act 1996 - S.R. No. 76

Pathology Services Accreditation Act 1984 - S.R. No. 36

Physiotherapists Act 1978 - S.R. No. 37

Planning Appeals Act 1980 - S.R. No. 87

Port of Melbourne Authority Act 1958 - S.R. No. 52

Prevention of Cruelty to Animals Act 1986 - S.R. No. 73

Professional Boxing and Martial Arts Act 1985 - S.R. No. 62

Public Sector Management Act 1992 - S.R. No. 46

Racing Act 1958 - S.R. No. 48

Subdivision Act 1988 - S.R. No. 87

Subordinate Legislation Act 1994 - S.R. Nos. 42, 61, 65, 66, 68, 69, 70, 71, 90

Supreme Court Act 1986 - S.R. Nos. 60, 82

Tattersall Consultations Act 1958 - S.R. No. 85

Tobacco Act 1987 - S.R. No. 49

Transport Act 1983 - S.R. No. 86

Victims of Crime Assistance Act 1996 - S.R. 64

Zoological Parks and Gardens Act 1995 - S.R. No. 55

Subordinate Legislation Act 1994 -

Ministers' exception certificates in relation to Statutory Rule Nos. 36, 38, 39, 45, 55, 59, 60, 61, 64, 81, 82, 87, 90

Ministers' exemption certificates in relation to Statutory Rule Nos. 37, 40, 46, 49, 51, 53, 54, 63, 67, 72, 73, 74, 75, 76, 77, 78, 80, 83, 85

Yarra Valley Water Ltd - Report for the year 1996-97.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Building (Further Amendment) Act 1997 - Remaining provisions on 1 August 1997 (*Gazette No. S84, 29 July 1997*)

Electricity Industry (Amendment) Act 1994 - Paragraphs (c) and (d) of Section 4(1) and Section 8 on 1 July 1997 (*Gazette No. G22, 5 June 1997*)

Electricity Industry (Miscellaneous Amendment) Act 1997 - Remaining provisions (except for sections 10, 11, 12, 15, 20(1), 20(2), 21(3)(a) and 30) on 3 June 1997 (*Gazette No. S58, 3 June 1997*). Section 30 on 12 August 1997 (*Gazette No. S92, 12 August 1997*)

Environment Conservation Council Act 1997 - Remaining provisions on 1 July 1997 (*Gazette No. S75, 1 July 1997*)

Fire Authorities (Amendment) Act 1997 - Part 3 on 1 September 1997 (*Gazette No. G32, 14 August 1997*)

Gas Industry (Amendment) Act 1997 - Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 18 and 21 on 3 June 1997. Remaining provisions on 1 July 1997 (*Gazette No. S58, 3 June 1997*)

Land (Revocation of Miscellaneous Reservations) Act 1997 - Section 4, item 2 of Schedule 1 and Schedule 2 on 1 August 1997 (*Gazette No. G28, 17 July 1997*)

Law and Justice Legislation Amendment Act 1997 - Sections 3, 7, 53, 54 and 55 on 19 June 1997 (*Gazette No. G24, 19 June 1997*). Sections 14 to 17 and 19 to 23 on 14 July 1997 (*Gazette No. S77, 10 July 1997*)

Legal Aid Commission (Amendment) Act 1989 - Section 12 on 14 July 1997 (*Gazette No. S77, 10 July 1997*). Section 8 on 28 July 1997 (*Gazette No. G29, 24 July 1997*)

Livestock Disease Control (Amendment) Act 1997 - Remaining provisions on 1 July 1997 (*Gazette No. G25, 26 June 1997*)

Melbourne City Link (Further Amendment) Act 1997 - Sections 3, 4(3), 8, 10, 11, 12, 14(2) and 15 on 12 June 1997 (*Gazette No. G23, 12 June 1997*). Remaining provisions on 26 June 1997 (*Gazette No. G25, 26 June 1997*)

Melbourne Lands (Yarra River North Bank) Act 1997 - Remaining provisions on 19 June 1997 (*Gazette No. G24, 19 June 1997*)

Miscellaneous Acts (Further Omnibus Amendments) Act 1996 - Sections 50, 51, 55(3), 58 and 60 on 3 June 1997 (*Gazette No. G21, 29 May 1997*)

National Parks (Amendment) Act 1997 - Remaining provisions (except section 14(3)) on 4 June 1997 (*Gazette No. S59, 4 June 1997*)

Police and Corrections (Amendment) Act 1997 - Sections 38 and 39 on 26 June 1997 (*Gazette No. G25, 26 June 1997*)

Professional Boxing and Martial Arts Act 1996 - Remaining provisions on 1 July 1997 (*Gazette No. G25, 26 June 1997*)

Taxation Administration Act 1997 - Remaining provisions on 1 July 1997 (*Gazette No. G23, 12 June 1997*).

**6 MESSAGES FROM THE LEGISLATIVE COUNCIL -**

Agreeing to the following Bills without amendment:

Superannuation Acts (Miscellaneous Amendment) Bill  
Melbourne City Link (Further Amendment) Bill  
Miscellaneous Acts (Omnibus No. 3) Bill  
Prostitution Control (Amendment) Bill  
Environment Conservation Council Bill  
Sentencing and Other Acts (Amendment) Bill  
Unclaimed Moneys (Superannuation Benefits) Bill  
State Taxation Acts (Further Amendment) Bill  
Financial Management (Amendment) Bill  
Law and Justice Legislation (Amendment) Bill  
Project Development and Construction Management (Amendment) Bill  
Victims of Crime Assistance (Amendment) Bill

Informing the Assembly that the following Bill had been withdrawn:

Parliament House Completion Authority (Amendment) Bill.

**7 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS -** Informing the Assembly that he had given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

On 27 May 1997

Local Government (Further Amendment) Bill  
Melbourne Lands (Yarra River North Bank) Bill  
National Electricity (Victoria) Bill  
Road Safety (Disclosure of Information) Bill  
State Taxation Acts (Amendment) Bill

On 3 June 1997

Building (Further Amendment) Bill  
Electricity Industry (Miscellaneous Amendment) Bill  
Gas Industry (Amendment) Bill  
Infertility Treatment (Amendment) Bill  
Melbourne and Metropolitan Board of Works (Amendment) Bill  
Melbourne City Link (Further Amendment) Bill  
Taxation Administration Bill

On 11 June 1997

Environment Conservation Council Bill  
Financial Management (Amendment) Bill  
Friendly Societies (Victoria) (Amendment) Bill  
Law and Justice Legislation Amendment Bill  
Miscellaneous Acts (Omnibus No. 3) Bill  
Project Development and Construction Management (Amendment) Bill  
Prostitution Control (Amendment) Bill  
Sentencing and Other Acts (Amendment) Bill  
State Taxation Acts (Further Amendment) Bill  
Superannuation Acts (Miscellaneous Amendment) Bill  
Unclaimed Moneys (Superannuation Benefits) Bill  
Victims of Crime Assistance (Amendment) Bill.

- 8 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
- Associations Incorporation (Amendment) Bill
  - Introduction Agents Bill
  - Melbourne and Olympic Parks (Amendment) Bill
  - Veterinary Practice Bill
  - Alpine Resorts Bill.
- 9 **APPROPRIATION (1997/98) BILL - APPROPRIATION (PARLIAMENT 1997/98) BILL** - Mr Speaker informed the House that he had on 3 June 1997, presented to His Excellency the Governor, the Appropriation (1997/98) Bill and the Appropriation (Parliament 1997/98) Bill to which His Excellency had been pleased to give the Royal Assent.
- 10 **MEMBERSHIP OF COMMITTEES** - Motion made, by leave, and question - That - (i) Mr Traynor be discharged from attendance on the Drugs and Crime Prevention Committee and that Mr Lupton be appointed in his stead; and (ii) Mr Lupton be discharged from attendance on the Environment and Natural Resources Committee and that Mrs Shardey be appointed in his stead (*Mr Gude*) - put and agreed to.
- 11 **GRIEVANCES** - Motion made, by leave, and question - That for the purposes of Sessional Order No. 4(1), Wednesday, 17 September 1997 and Wednesday, 29 October 1997 be appointed days upon which the question "That grievances be noted" may be put (*Mr Gude*) - put and agreed to.
- 12 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 p.m., Thursday, 18 September 1997:
- Construction Industry Long Service Leave Bill
  - Drugs, Poisons and Controlled Substances (Amendment) Bill
  - Veterinary Practice Bill
  - Introduction Agents Bill
  - Associations Incorporation (Amendment) Bill
  - Melbourne and Olympic Parks (Amendment) Bill
- (*Mr Gude*) - put and agreed to.
- 13 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 1 and 2 be postponed until later this day.
- 14 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL** - 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, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 **PAPERS PURSUANT TO STATUTE** - Mr Deputy Speaker presented -
- BLF (De-recognition) Act 1985 - Thirty-fifth and Thirty-sixth Reports of the Custodian.
- Severally ordered to lie on the Table and to be printed.

- 16 **VETERINARY PRACTICE BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until there has been appropriate consultation with veterinary surgeons, the farming sector and the community as to who can perform acts of veterinary surgery or medicine and as to what provisions should regulate the ownership of veterinary practices" (*Mr Brumby*).

Pursuant to Sessional Orders, Dr Napthine announced that it was proposed to move amendments in Committee 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 10.00 p.m.  
pursuant to Sessional Orders.*

- 17 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.50 p.m.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 60 - Wednesday, 17 September 1997

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

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

**Williamstown Road Traffic** - Seeking that the Minister for Roads and Ports immediately address traffic reduction measures in Williamstown Road, bearing 695 signatures (*by Mr Thwaites*)

**Midland Highway - Guildford** - Seeking that the House ensures the Midland Highway continues to pass through the Guildford township and oppose any plans for the highway to be built around Guildford so that it becomes a by-pass, bearing 175 signatures (*by Mr Cameron*)

**Marine and Coastal Special Investigation** - Seeking that the Minister for Conservation and Land Management releases the final report of the Marine and Coastal Special Investigation by the Land Conservation Council immediately, bearing 175 signatures (*by Ms Garbutt*)

**Water Charges** - Seeking that the Government will step in and stop the proposed 50% increase in water charges, bearing 165 signatures (*by Ms Garbutt*)

**Natural Gas for Upper Yarra Valley** - Seeking that the Premier ensures the Upper Yarra Valley is immediately provided with natural gas, bearing 1,390 signatures (*by Mr Loney*)

**Gas and Fuel Corporation** - Seeking that due recognition is given to the contribution made by the publicly-owned Gas and Fuel Corporation to the social and economic well-being of the Victorian community and that the Government immediately abandon its proposed privatisation of the Victorian gas industry, bearing 407 signatures (*by Mr Loney*)

**Auditor-General** - Seeking that - (a) the Auditor-General's Office retain its powers, in its entirety to conduct audits on all government owned or controlled agencies and all bodies responsible to the Government; and (b) the Government proceed no further with its proposal to restrict the powers and independence of the Auditor-General, bearing 969 signatures (*by Mr Savage*)

**Electronic Gaming Machines** - Seeking that the House will not enact laws to allow more electronic gaming machines, bearing 124 signatures (*by Mr Paterson*).

Severally ordered to lie on the Table.

- 3 **PETITION - GAS AND FUEL CORPORATION** - Motion made and question - That the petition presented by the Member for Geelong North relating to the Gas and Fuel Corporation be taken into consideration tomorrow (*Mr Loney*) - put and agreed to.
- 4 **PAPER PURSUANT TO STATUTE** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
 

Environment Conservation Council Act 1997 - Request by the Minister for Conservation and Land Management requiring the Environment Conservation Council to investigate Victoria's marine, coastal and estuarine areas.
- 5 **GRIEVANCES** - Question - That grievances be noted - put, after debate, and agreed to.
- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 7 **REMOVAL OF ABORIGINAL CHILDREN** - Motion made, by leave, and question - That this House apologises to the Aboriginal people on behalf of all Victorians for the past policies under which Aboriginal children were removed from their families and expresses deep regret at the hurt and distress this has caused and reaffirms its support for reconciliation between all Australians (*Mr Kennett*) - put, after debate, and agreed to.
- 8 **ROAD TRANSPORT (DANGEROUS GOODS) (AMENDMENT) BILL** - Mr Kennett, after debate, obtained leave with Dr Napthine, to bring in a Bill "*to amend the Road Transport (Dangerous Goods) Act 1995 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **ELECTRICITY INDUSTRY (FURTHER MISCELLANEOUS AMENDMENT) BILL** - Mr Kennett obtained leave with Dr Napthine, to bring in a Bill "*to make further amendments to the Electricity Industry Act 1993, to amend the National Electricity (Victoria) Act 1997 and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **PORT SERVICES (AMENDMENT) BILL** - Mr Kennett obtained leave with Dr Napthine, to bring in a Bill "*to amend the Port Services Act 1995 and the State Electricity Commission Act 1958, to repeal the Port of Melbourne Authority Act 1958, the Port of Geelong Authority Act 1958, the Port of Portland Authority Act 1958 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

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- 11 **FORESTS (DUNSTAN AGREEMENT) (AMENDMENT) BILL** - Mr McNamara, pursuant to a motion moved on his behalf by Mr Kennett, obtained leave with Dr Napthine, to bring in a Bill "*to ratify a further agreement and to amend the Forests (Dunstan Agreement) Act 1987 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  
  - 12 **EDUCATION (WORK EXPERIENCE) BILL** - Mr Gude, pursuant to a motion moved on his behalf by Dr Napthine, after debate, obtained leave with Mr Honeywood, to bring in a Bill "*to amend the Education Act 1958 to make further provision for work experience arrangements and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  
  - 13 **URBAN LAND CORPORATION BILL** - Mr Maclellan (*Pakenham*), pursuant to a motion moved on his behalf by Dr Napthine, obtained leave with Mr Honeywood, to bring in a Bill "*to establish the Urban Land Corporation, to repeal the Urban Land Authority Act 1979 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  
  - 14 **DOCKLANDS AUTHORITY (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*), pursuant to a motion moved on his behalf by Dr Napthine, obtained leave with Mr Honeywood, to bring in a Bill "*to amend the Docklands Authority Act 1991 and to repeal the Development Areas Act 1973 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  
  - 15 **LOCAL GOVERNMENT (MISCELLANEOUS AMENDMENT) BILL** - Mr Maclellan (*Pakenham*), pursuant to a motion moved on his behalf by Dr Napthine, obtained leave with Mrs Wade, to bring in a Bill "*to amend the Local Government Act 1989, the Building Act 1993 and the Local Government (Amendment) Act 1996, to repeal the Public Authorities Marks Act 1958 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  
  - 16 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) BILL** - Mrs Wade, after debate, obtained leave with Dr Napthine, to bring in a Bill "*to reform the law relating to fitness to stand trial for criminal offences and to the defence of insanity, to amend the Corrections Act 1986, the Crimes Act 1958, the Intellectually Disabled Persons' Services Act 1986 and the Mental Health Act 1986 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  
  - 17 **COMMONWEALTH POWERS (FAMILY LAW-CHILDREN) (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Dr Napthine, to bring in a Bill "*to amend the Commonwealth Powers (Family Law-Children) Act 1986 with respect to the reference of matters to the Commonwealth Parliament and for other purposes*" and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  
  - 18 **SENTENCING (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Dr Napthine, to bring in a Bill "*to amend the Sentencing Act 1991, the Crimes Act 1958 and the Magistrates' Court Act 1989 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 19 **FINANCIAL INSTITUTIONS LEGISLATION (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Dr Napthine, to bring in a Bill "*to amend the **Building Societies Act 1986**, the **Co-operative Housing Societies Act 1958** and the **Financial Institutions (Victoria) Act 1992** and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 20 **HIRE-PURCHASE (FURTHER AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr Honeywood, to bring in a Bill "*to amend the **Hire-Purchase Act 1959** and the **Goods Act 1958** and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 21 **WILDLIFE (AMENDMENT) BILL** - Mrs Tehan, pursuant to a motion moved on her behalf by Dr Napthine, after debate, obtained leave with Mrs Wade, to bring in a Bill "*to amend the **Wildlife Act 1975**, the **Conservation, Forests and Lands Act 1987** and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 22 **DISABILITY SERVICES AND OTHER ACTS (AMENDMENT) BILL** - Dr Napthine obtained leave with Mr Honeywood, to bring in a Bill "*to amend the **Adoption Act 1984**, the **Children's Services Act 1996**, the **Community Services Act 1970**, the **Disability Services Act 1991** and the **Intellectually Disabled Persons' Services Act 1986** and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 23 **HEALTH SERVICES (AMENDMENT) BILL** - Dr Napthine obtained leave with Mr Honeywood, to bring in a Bill "*to amend the **Health Services Act 1988** to replace certain references to nursing homes and hostels, to provide for offences in relation to supported residential services, to extend the period for the commencement of proceedings in respect of certain offences and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 24 **MENTAL HEALTH (VICTORIAN INSTITUTE OF FORENSIC MENTAL HEALTH) BILL** - Dr Napthine obtained leave with Mrs Wade, to bring in a Bill "*to establish the Victorian Institute of Forensic Mental Health, to amend the **Health Services Act 1988** and the **Mental Health Act 1986** and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 25 **PODIATRISTS REGISTRATION BILL** - Dr Napthine obtained leave with Mrs Wade, to bring in a Bill "*to make provision for the registration of podiatrists, the investigation into the professional conduct or fitness to practice of registered podiatrists, to regulate the advertising of podiatry services, to establish the Podiatrists Registration Board of Victoria and the Podiatrists Registration Board Fund, to repeal the **Chiropodists Act 1968** and to make consequential amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 26 **MELBOURNE SPORTS AND AQUATIC CENTRE (AMENDMENT) BILL** - Mr Reynolds, pursuant to a motion moved on his behalf by Dr Napthine, obtained leave with Mr Honeywood, to bring in a Bill "*to amend the **Melbourne Sports and Aquatic Centre Act 1994** to make further provision for the Melbourne Sports and Aquatic Centre land and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 27 **VOCATIONAL EDUCATION AND TRAINING (TRAINING FRAMEWORK) BILL** - Mr Honeywood, after debate, obtained leave with Mrs Wade, to bring in a Bill "*to amend the Vocational Education and Training Act 1990 and the Adult, Community and Further Education Act 1991 to make further provision for vocational education and training and adult, community and further education, to amend the Accident Compensation Act 1985, the Accident Compensation (WorkCover Insurance) Act 1993 and the Pay-roll Tax Act 1971, to make consequential amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 28 **UNIVERSITY ACTS (FURTHER AMENDMENT) BILL** - Mr Honeywood, after debate, obtained leave with Mrs Wade, to bring in a Bill "*to amend the Deakin University Act 1974, the La Trobe University Act 1964, the Melbourne University Act 1958, the Monash University Act 1958, the Royal Melbourne Institute of Technology Act 1992, the Swinburne University of Technology Act 1992, the Victoria University of Technology Act 1990 and the Tertiary Education Act 1993 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 29 **UNIVERSITY OF BALLARAT (AMENDMENT) BILL** - Mr Honeywood, after debate, obtained leave with Mrs Wade, to bring in a Bill "*to amend the University of Ballarat Act 1993 to provide for the merger of The School of Mines and Industries Ballarat Limited and the Wimmera Institute of TAFE with the University of Ballarat and other miscellaneous matters, to make consequential amendments to the Vocational Education and Training Act 1990 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 30 **INTRODUCTION AGENTS BILL** - 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 Burke*) - put and agreed to.  
Ordered - That the debate be adjourned until tomorrow.
- 31 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.  
Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move amendments in Committee 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 Smith, Glen Waverley*) - put and agreed to.  
Ordered - That the debate be adjourned until later this day.
- 32 **MELBOURNE AND OLYMPIC PARKS (AMENDMENT) BILL** - 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, Glen Waverley*) - put and agreed to.  
Ordered - That the debate be adjourned until later this day.
- 33 **CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until superannuation, redeployment and redundancy matters for existing public sector Co-Invest staff are resolved" (*Mr Bracks*) - and, after debate -

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 34 **ADJOURNMENT** - Mr Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.13 p.m.

P. J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## No. 61 - Thursday, 18 September 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
  - Auditor-General's Office** - Seeking that the present powers and responsibilities of the Office of the Auditor-General, as enshrined in the Audit Act, be preserved and that proposals to change this Act be abandoned, bearing 25 and 21,068 signatures (*by Mr Lean and Ms Davies, respectively*)
  - National Gallery of Victoria - Water Wall** - Seeking that the water wall at the entrance to the National Gallery of Victoria be retained in any redesign of the Gallery, bearing 46 signatures (*by Mrs Maddigan*)
  - De Facto Spouse** - Seeking that the legislative definition of de facto spouse should be amended to include people in same sex relationships as "a person who is living with another person as if they were married although they are not", bearing 1,612 signatures (*by Ms Burke*).

Severally ordered to lie on the Table.
- 3 **PETITIONS - OFFICE OF AUDITOR-GENERAL** - Motion made and question - That the petitions presented by the Members for Carrum and Gippsland West relating to the Office of the Auditor-General be taken into consideration tomorrow (*Mr Batchelor*) - put and agreed to.
- 4 **PAPERS** -
  - PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Sheehan brought up a Report from the Public Accounts and Estimates Committee on Outstanding Fines and Unexecuted Warrants, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendices to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Land Acquisition and Compensation Act 1986 - Notice pursuant to section 7(1)(c)

Subordinate Legislation Act 1994 - Minister's exception certificate in relation to Statutory Rule Nos. 65, 66.

- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 7 October 1997 (*Mr Gude*) - put and agreed to.
- 6 **SNOWY HYDRO CORPORATION BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).  
Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 7 **ROAD TRANSPORT (DANGEROUS GOODS) (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Honeywood*).  
Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 8 **ELECTRICITY INDUSTRY (FURTHER MISCELLANEOUS AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Honeywood*).  
*Mr Honeywood made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*  
Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 9 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.
- 10 **FORESTS (DUNSTAN AGREEMENT) (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Honeywood*).  
Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 11 **PORT SERVICES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Honeywood*).  
Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 12 **EDUCATION (WORK EXPERIENCE) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Honeywood*).  
Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.  
Ordered - That the debate be adjourned until Thursday, 2 October 1997.

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- 13 **URBAN LAND CORPORATION BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Honeywood*).
- Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 14 **DOCKLANDS AUTHORITY (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).
- Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 15 **LOCAL GOVERNMENT (MISCELLANEOUS AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).
- Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 16 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Mrs Wade made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 17 **COMMONWEALTH POWERS (FAMILY LAW-CHILDREN) (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 18 **SENTENCING (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 19 **FINANCIAL INSTITUTIONS LEGISLATION (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 20 **HIRE-PURCHASE (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 21 **WILDLIFE (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 2 October 1997.

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- 22 **DISABILITY SERVICES AND OTHER ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Naphthine*).  
 Motion made and question - That the debate be now adjourned (*Mrs Campbell*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 23 **HEALTH SERVICES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Naphthine*).  
 Motion made and question - That the debate be now adjourned (*Mrs Campbell*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 24 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 18, be postponed until later this day.
- 25 **PODIATRISTS REGISTRATION BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Naphthine*).  
*Dr Naphthine made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*  
 Motion made and question - That the debate be now adjourned (*Mrs Campbell*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 26 **MELBOURNE SPORTS AND AQUATIC CENTRE (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).  
 Motion made and question - That the debate be now adjourned (*Mr Pandazopoulos*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 27 **VOCATIONAL EDUCATION AND TRAINING (TRAINING FRAMEWORK) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Honeywood*).  
 Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 28 **UNIVERSITY ACTS (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Honeywood*).  
 Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 2 October 1997.
- 29 **UNIVERSITY OF BALLARAT (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Honeywood*).  
 Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 2 October 1997.

- 30 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 31 **PAPER PURSUANT TO STATUTE** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:  
Aluminium Smelters of Victoria Pty Ltd (Aluvic) - Report for the year 1996-97.
- 32 **VETERINARY PRACTICE BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until there has been appropriate consultation with veterinary surgeons, the farming sector and the community as to who can perform acts of veterinary surgery or medicine and as to what provisions should regulate the ownership of veterinary practices"; debate resumed.

*Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of the House on Tuesday, 16 September 1997 had expired.*

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

The House divided.

AYES, 53

Mr Andrighetto	Mr Leigh	Mr Perrin	Mr Thompson
Mr Ashley	Mr Lupton	Mr Perton	Mr Traynor
Mr Clark	Mr McArthur	Mr Pescott	Mr Treasure
Mr Coleman	Ms McCall	Mrs Peulich	Mrs Wade
Mr Cooper	Mrs McGill	Mr Phillips	Mr Wells
Dr Dean	Mr McGrath	Mr Plowman	
Mr Dixon	(Warrnambool)	(Benambra)	
Mr Doyle	Mr McGrath	Mr Reynolds	
Mr Elder	(Wimmera)	Mr Rowe	
Mr Finn	Mr McLellan	Mr Ryan	
Mr Gude	(Frankston East)	Mrs Shardey	
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maclellan	(Polwarth)	Tellers
Mr Jasper	(Pakenham)	Mr Spry	Ms Burke
Mr John	Mr Maughan	Mr Steggall	Mr Kilgour
Mr Kennett	Dr Napthine	Mr Stockdale	Mr Smith
Mr Lean	Mr Paterson	Mrs Tehan	(Glen Waverley)

NOES, 26

Mr Andrianopoulos	Ms Davies	Mr Lim	Mr Sheehan
Mr Baker	Mr Dollis	Mr Loney	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Micallef	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	Tellers
Mr Brumby	Mr Hulls	Mr Pandazopoulos	Mr Cameron
Mrs Campbell	Ms Kosky	Mr Savage	Mr Langdon
Mr Cole	Mr Leighton	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Question - That this Bill be read now a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly - put and agreed to.

Question - That Government amendments Nos. 1 to 7 inclusive be agreed to - put and agreed to.

Question - That this Bill be now read a third time - put.

The House divided.

AYES, 53

Mr Andrighetto	Mr Leigh	Mr Perrin	Mr Thompson
Mr Ashley	Mr Lupton	Mr Perton	Mr Traynor
Mr Clark	Mr McArthur	Mr Pescott	Mr Treasure
Mr Coleman	Ms McCall	Mrs Peulich	Mrs Wade
Mr Cooper	Mrs McGill	Mr Phillips	Mr Wells
Dr Dean	Mr McGrath	Mr Plowman	
Mr Dixon	(Warrnambool)	(Benambra)	
Mr Doyle	Mr McGrath	Mr Reynolds	
Mr Elder	(Wimmera)	Mr Rowe	
Mr Finn	Mr McLellan	Mr Ryan	
Mr Gude	(Frankston East)	Mrs Shardey	
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maclellan	(Polwarth)	Tellers
Mr Jasper	(Pakenham)	Mr Spry	Ms Burke
Mr John	Mr Maughan	Mr Steggall	Mr Kilgour
Mr Kennett	Dr Naphthine	Mr Stockdale	Mr Smith
Mr Lean	Mr Paterson	Mrs Tehan	(Glen Waverley)

NOES, 26

Mr Andrianopoulos	Ms Davies	Mr Lim	Mr Sheehan
Mr Baker	Mr Dollis	Mr Loney	Mrs Wilson
Mr Batchelor	Mr Garbutt	Mr Micallef	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	Tellers
Mr Brumby	Mr Hulls	Mr Pandazopoulos	Mr Cameron
Mrs Campbell	Ms Kosky	Mr Savage	Mr Langdon
Mr Cole	Mr Leighton	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

33 INTRODUCTION AGENTS BILL - 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 and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

34 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL** - 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 amendments Nos. 1 to 34 inclusive be agreed to, the Bill be read a third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

35 **MELBOURNE AND OLYMPIC PARKS (AMENDMENT) BILL** - 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 and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

36 **CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until superannuation, redeployment and redundancy matters for existing public sector Co-Invest staff are resolved".

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

The House divided.

AYES, 53

Mr Andrighetto	Mr Leigh	Mr Paterson	Mr Steggall
Mr Ashley	Mr Lupton	Mr Perrin	Mr Stockdale
Mr Clark	Mr McArthur	Mr Perton	Mrs Tehan
Mr Coleman	Ms McCall	Mr Pescott	Mr Thompson
Mr Cooper	Mrs McGill	Mrs Peulich	Mr Traynor
Ms Davies	Mr McGrath	Mr Phillips	Mr Treasure
Dr Dean	(Warrnambool)	Mr Plowman	Mrs Wade
Mr Dixon	Mr McGrath	(Benambra)	Mr Wells
Mr Doyle	(Wimmera)	Mr Reynolds	
Mr Elder	Mr McLellan	Mr Rowe	
Mr Finn	(Frankston East)	Mr Ryan	
Mr Gude	Mr McNamara	Mr Savage	Tellers
Mrs Henderson	Mr Maclellan	Mrs Shardey	Ms Burke
Mr Jasper	(Pakenham)	Mr Smith	Mr Kilgour
Mr John	Mr Maughan	(Polwarth)	Mr Smith
Mr Lean	Dr Napthine	Mr Spry	(Glen Waverley)

NOES, 23

Mr Andrianopoulos	Mr Cole	Mr Leighton	Mr Seitz
Mr Baker	Mr Dollis	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	Tellers
Mr Bracks	Mr Haermeyer	Mr Micallef	Mr Cameron
Mr Brumby	Mr Hulls	Mr Mildenhall	Mr Langdon
Mrs Campbell	Ms Kosky	Mr Pandazopoulos	Mrs Maddigan

And so it was resolved in the affirmative.

Question - That this Bill be read now a second time and a third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 37 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 38 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 5.28 p.m., adjourned until Tuesday, 7 October 1997.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS Nos. 62, 63 and 64

### No. 62 - Tuesday, 7 October 1997

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:

**General Practitioners - Morwell** - Seeking that assistance be given to the recruitment of General Practitioners for Morwell, bearing 1,753 signatures (*by Mr Thwaites*)

**Disability Organisations** - Seeking that funding is fully reinstated to all disability advocacy/information organisations across Victoria immediately, bearing 1,122 signatures (*by Mr Thwaites*)

**Disability Resources Centre** - Seeking that the Government restore the funding of the Disability Resources Centre to enable it to provide advocacy and information services throughout Victoria, bearing 14 signatures (*by Mr Thwaites*)

**Disability Services - Grampians Region** - Seeking that funding be granted to Disability Resources & Services Inc. located in the Grampians region, bearing 1,013 signatures (*by Mr Thwaites*)

**Bunyip/Tarago Main Water Race** - Seeking that the Government ensures that the Bunyip/Tarago main water race remains fully operational, bearing 1,175 signatures (*by Ms Garbutt*)

**Disability Resource Council - Barwon** - Seeking that the Minister for Youth and Community Services be requested to continue to fund the Barwon Disability Resource Council, bearing 4,355 signatures (*by Mr Loney*).

Severally ordered to lie on the Table.

- 4 **PAPERS** -

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 7 of 1997 on the -

Melbourne Sports and Aquatic Centre (Amendment) Bill

Local Government (Miscellaneous Amendment) Bill

Snowy Hydro Corporatisation Bill

Wildlife (Amendment) Bill

Docklands Authority (Amendment) Bill

Podiatrists Registration Bill

University of Ballarat (Amendment) Bill

Vocational Education and Training (Training Framework) Bill

Crimes (Mental Impairment and Unfitness to be Tried) Bill

Sentencing (Amendment) Bill

Electricity Industry (Further Miscellaneous Amendment) Bill  
 Port Services (Amendment) Bill  
 Urban Land Corporation Bill  
 University Acts (Further Amendment) Bill  
 Road Transport (Dangerous Goods) (Amendment) Bill  
 Education (Work Experience) Bill  
 Hire-Purchase (Further Amendment) Bill  
 Health Services (Amendment) Bill  
 Commonwealth Powers (Family Law-Children) (Amendment) Bill  
 Financial Institutions Legislation (Amendment) Bill  
 Forests (Dunstan Agreement) (Amendment) Bill  
 Disability Services and Other Acts (Amendment) Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Anderson's Creek Cemetery Trust - Report for the year 1996  
 Australian Grand Prix Corporation - Report for the year 1996-97  
 Ballarat General Cemeteries - Financial Statement for the year 1996  
 Bendigo Cemeteries Trust - Report for the year 1996  
 Cheltenham Public Cemeteries Trust - Report for the year 1996  
 Drugs, Poisons and Controlled Substances Act 1981 - Documents pursuant to section 12H -  
     Poisons Code - Amendment No. 4, to the Standard for the Uniform Scheduling of Drugs and Poisons No. 11, and Notice regarding the amendment, commencement and availability of the Poisons Code  
 Electricity Services Victoria - Report for the year 1996-97  
 Electric Light and Power Act 1958 - Report of the Chief Electrical Inspector on the Applications and Proceedings under the Act for the year 1996  
 Environment Protection Act 1970 - Order varying the State Environment Protection Policy (Waters of Victoria) and revoking the State Environment Protection Policy (The Waters of Port Phillip Bay) (Government Gazette No. S101, 27 August 1997)  
 Everton Dell Pty Ltd (incorporating Bannister Trial Pty Ltd) - Report for the period ended 30 June 1997  
 Fawkner Crematorium and Memorial Park - Report for the year 1996  
 Financial Management Act 1994 - Report of the Minister for Conservation and Land Management that she had received the 1995-96 Annual Financial Statement of the Eastern Regional Waste Management Group  
 Geelong Cemeteries Trust - Report for the year 1996  
 Judicial Remuneration Tribunal Act 1995 - Statement of reasons from the Attorney-General for varying certain recommendations contained in the report of the Judicial Remuneration Tribunal on Tribunals' Salaries and Allowances  
 Land Conservation Council - Report for the year 1996-97  
 Lilydale Memorial Park and Cemetery Trust - Report for the year 1996

Melbourne City Link Act 1995 - Orders pursuant to section 8(4) decreasing and increasing the project area (4 papers)

Memorial Park Altona Cemetery Trust - Report for the year 1996

Mildura Cemetery Trust - Financial Statement for the period ended 31 December 1996

Necropolis Springvale - Report for the year 1996

Parliamentary Committees Act 1968 - Response of the Minister for Fair Trading on action taken with respect to the recommendations made by the Scrutiny of Acts and Regulations Committee's Review of the *Hire-Purchase Act 1959* as part of the Review of Redundant and Unclear Legislation

Planning and Environment Act 1987 - Amendment Nos. 101, 103, 104 and 107 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan

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

Alexandra Planning Scheme - No. L40

All Planning Schemes - No. S66

Bairnsdale (City) Planning Scheme - No. L40

Ballarat Planning Scheme - Nos. L28, L29

Bayside Planning Scheme - No. L3

Berwick Planning Scheme - Nos. L126, L128

Campaspe Planning Scheme - No. L17

Corangamite Shire Planning Scheme - No. L9

Cranbourne Planning Scheme - No. L208

Darebin Planning Scheme - No. L55

Frankston Planning Scheme - No. L101

Glen Eira Planning Scheme - No. L17

Greater Geelong Planning Scheme - Nos. R181, R191, R197, R200, R201, RL112

Hume Planning Scheme - Nos. L20, L25

Knox Planning Scheme - Nos. L139, L149

Korumburra Planning Scheme - No. L52 Part 2

Maribyrnong Planning Scheme - Nos. L20, L27

Maroondah Planning Scheme - Nos. L8 Part 2, L17, L19

Melbourne Planning Scheme - Nos. L266, L280, L281, L283

Melton Planning Scheme - No. L83

Moreland Planning Scheme - Nos. L41, L48, L51

Pakenham Planning Scheme - No. L137

Portland City Planning Scheme - No. L41

Port of Melbourne Planning Scheme - No. L25

Port Phillip Planning Scheme - Nos. L20, L48

Sherbrooke Planning Scheme - No. L106

Southern Grampians Planning Scheme - No. L2

Surf Coast Planning Scheme - No. R29 Part 1

Werribee Planning Scheme - No. L100

Whittlesea Planning Scheme - L146 Part 1

Yarra Planning Scheme - No. L48

Yarra Ranges Planning Scheme - Nos. L39, L64, L68

Prevention of Cruelty to Animals Act 1986 -

Code of Practice for the Intensive Husbandry of Rabbits (Victoria)

Revocation of the Code of Practice for the Management of Companion Animals in Shelters and Pounds

State Electricity Commission of Victoria - Report for the year 1996-97

Statutory Rules under the following Acts:

Cemeteries Act 1958 - S.R. No. 94  
 Chattel Securities Act 1987 - S.R. No. 93  
 Fisheries Act 1968 - S.R. Nos. 96, 97  
 Physiotherapists Act 1978 - S.R. No. 95  
 Subordinate Legislation Act 1994 - S.R. Nos. 91, 92  
 Supreme Court Act 1986 - S.R. No. 99  
 Tobacco Act 1987 - S.R. No. 98

Subordinate Legislation Act 1994 -

Ministers' exception certificates in relation to Statutory Rule Nos. 89, 91, 92, 99  
 Ministers' exemption certificates in relation to Statutory Rule Nos. 9, 41, 49, 50, 94,  
 95, 98

Templestowe Cemetery Trust - Financial Statement for the year 1996

Wildlife Act 1975 - Wildlife (Closure of Area to Hunting) Notice No. 2 of 1997  
 (Government Gazette No. G38, 25 September 1997).

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Births, Deaths and Marriages Registration Act 1996 - Remaining provisions on 2 October 1997 (*Gazette No. G39, 2 October 1997*)

Co-operatives Act 1996 - Remaining provisions on 1 October 1997 (*Gazette No. S122, 1 October 1997*)

Friendly Societies (Victoria) Act 1996 - Remaining provisions on 1 October 1997 (*Gazette No. S122, 1 October 1997*)

Police and Corrections (Amendment) Act 1997 - Sections 32, 33 and 55 and the remaining provisions of Part 5 on 2 October 1997 (*Gazette No. G39, 2 October 1997*)

Witness Protection (Amendment) Act 1996 - Section 12 on 2 October 1997 (*Gazette No. G39, 2 October 1997*).

5 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Crimes (Mental Impairment and Unfitness to be Tried) Bill  
 Disability Services and Other Acts (Amendment) Bill  
 Education (Work Experience) Bill  
 Electricity Industry (Further Miscellaneous Amendment) Bill  
 Melbourne Sports and Aquatic Centre (Amendment) Bill  
 Podiatrists Registration Bill  
 Port Services (Amendment) Bill  
 Sentencing (Amendment) Bill  
 Snowy Hydro Corporatisation Bill  
 University of Ballarat (Amendment) Bill  
 Urban Land Corporation Bill  
 Vocational Education and Training (Training Framework) Bill.

- 6 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 p.m., on Thursday, 9 October 1997:

Road Transport (Dangerous Goods) (Amendment) Bill  
 Electricity Industry (Further Miscellaneous Amendment) Bill  
 Port Services (Amendment) Bill  
 Forests (Dunstan Agreement) (Amendment) Bill  
 Education (Work Experience) Bill  
 Crimes (Mental Impairment and Unfitness to be Tried) Bill  
 Commonwealth Powers (Family Law-Children) (Amendment) Bill  
 Sentencing (Amendment) Bill  
 Financial Institutions Legislation (Amendment) Bill

(Mr Gude) - after debate, put.

The House divided.

AYES, 50

Mr Andrighetto	Mr John	Mr Paterson	Mrs Tehan
Mr Ashley	Mr Lean	Mr Perrin	Mr Thompson
Mr Clark	Mr Lupton	Mr Pescott	Mr Traynor
Mr Coleman	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Cooper	Ms McCall	Mr Phillips	Mrs Wade
Mr Dixon	Mrs McGill	Mr Plowman	Mr Wells
Mr Doyle	Mr McGrath	(Benambra)	
Mr Elder	(Wimmera)	Mr Reynolds	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	(Frankston East)	Mr Ryan	
Mr Gude	Mr McNamara	Mr Savage	Tellers
Mrs Henderson	Mr Maclellan	Mrs Shardey	Ms Burke
Mr Honeywood	(Pakenham)	Mr Spry	Mr Kilgour
Mr Jasper	Mr Maughan	Mr Steggall	Mr Smith
Mr Jenkins	Dr Napthine	Mr Stockdale	(Glen Waverley)

NOES, 26

Mr Andrianopoulos	Mr Cunningham	Ms Kosky	Mr Thwaites
Mr Baker	Ms Davies	Mr Leighton	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	Tellers
Mr Brumby	Mr Haermeyer	Mr Mildenhall	Mr Cameron
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Langdon
Mr Carli	Mr Hulls	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

- 7 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.
- 8 **ELECTRICITY INDUSTRY (FURTHER MISCELLANEOUS AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported without amendment; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 9 **PORT SERVICES (AMENDMENT) BILL** - 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.
- 10 **FORESTS (DUNSTAN AGREEMENT) (AMENDMENT) BILL** - 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, Glen Waverley*) - put and agreed to.  
Ordered - That the debate be adjourned until later this day.
- 11 **EDUCATION (WORK EXPERIENCE) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.  
*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*
- 12 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.05 p.m.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 63 - Wednesday, 8 October 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:  
**Australian Bass and Estuary Perch** - Seeking that the Government will re-introduce the closed season and introduce a bag limit on the taking of Australian Bass and Estuary Perch within the Tarwin River and the Anderson Inlet waterways, bearing 437 signatures (*by Ms Davies*).  
Ordered to lie on the Table.
- 3 **PAPER PURSUANT TO STATUTE** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:  
Victorian Multicultural Commission - Report for the year 1996-97.

- 
- 4 **ECONOMIC DEVELOPMENT IN COUNTRY VICTORIA** - Motion made and question proposed - That this House congratulates the Government for the many initiatives it has pursued to encourage economic development in country Victoria (*Mr Ryan*).
- General Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*
- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 6 **GEELONG PERFORMING ARTS CENTRE TRUST (AMENDMENT) BILL** - Mr Kennett obtained leave with Mr Gude, to bring in a Bill "*to amend the Geelong Performing Arts Centre Trust Act 1980 to make further provision for the membership of the Geelong Performing Arts Centre Trust and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 **CRIMES (AMENDMENT) BILL** - Mrs Wade obtained leave with Mr Gude, to bring in a Bill "*to amend the Crimes Act 1958, the Evidence Act 1958 and the Magistrates' Court Act 1989 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **WILLS BILL** - Mrs Wade obtained leave with Mr Gude, to bring in a Bill "*to re-state with amendments the law relating to wills in Victoria, to repeal the Wills Act 1958 and to amend the Administration and Probate Act 1958*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **LAW AND JUSTICE LEGISLATION (FURTHER AMENDMENT) BILL** - Mrs Wade obtained leave with Mr Gude, to bring in a Bill "*to amend the Bail Act 1977, the Consumer Credit (Victoria) Act 1995, the Country Fire Authority Act 1958, the Credit (Administration) Act 1984, the Credit Act 1984, the Equal Opportunity Act 1995, the Firearms Act 1996, the Instruments Act 1958, the Interpretation of Legislation Act 1984, the Magistrates' Court Act 1989, the Supreme Court Act 1986 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **TRANSPORT ACTS (AMENDMENT) BILL** - Mr Cooper, after debate, obtained leave with Mr Maclellan (*Pakenham*), to bring in a Bill "*to amend the Transport Act 1983 and the Public Transport Competition Act 1995, to repeal the South Australian and Victorian Border Railways Act 1930, the King-street Bridge Act 1957 and the Railways (Standardization Agreement) Act 1958 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **STATE TAXATION (AMENDMENT) BILL** - Mr Stockdale obtained leave with Mr Gude, to bring in a Bill "*to amend the Debts Tax Act 1990, the Financial Institutions Duty Act 1982, the Land Tax Act 1958, the Pay-roll Tax Act 1971, the Stamps Act 1958 and the Taxation Administration Act 1997 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **GAMING ACTS (MISCELLANEOUS AMENDMENT) BILL** - Mr Reynolds obtained leave with Mr McNamara, to bring in a Bill "*to amend the Gaming Machine Control Act 1991, the Gaming and Betting Act 1994 and the Gaming No. 2 Act 1997, to repeal the Banking (Premium Accounts) Act 1992 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 13 **FOOD (AMENDMENT) BILL** - Dr Naphthine obtained leave with Mr Gude, to bring in a Bill "to amend the *Food Act 1984, the Meat Industry Act 1993 and the Dairy Industry Act 1992 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **MENTAL HEALTH (VICTORIAN INSTITUTE OF FORENSIC MENTAL HEALTH) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Naphthine*).  
Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.  
Ordered - That the debate be adjourned until Wednesday, 22 October 1997.
- 15 **ROAD TRANSPORT (DANGEROUS GOODS) (AMENDMENT) BILL** - 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, Glen Waverley*) - put and agreed to.  
Ordered - That the debate be adjourned until later this day.
- 16 **EDUCATION (WORK EXPERIENCE) BILL** - 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 Langdon*) - 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 Order of the Day, Government Business, No. 4, be postponed until later this day.
- 18 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 19 **COMMONWEALTH POWERS (FAMILY LAW-CHILDREN) (AMENDMENT) BILL** - 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, read a third time forthwith.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 **SENTENCING (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.  
Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.  
Pursuant to Sessional Orders, Mr Hulls announced that it was proposed to move amendments in Committee 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 10.00 p.m.  
pursuant to Sessional Orders.*

- 21 **ADJOURNMENT** - Mr Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.21 p.m.

P. J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## No. 64 - Thursday, 9 October 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:

**Evidence (Unsworn Evidence) Act 1993** - Seeking that Parliament legislate for the repeal of the *Evidence (Unsworn Evidence) Act 1993*, bearing 16 signatures (*by Mr Traynor*)

**Auditor-General** - Seeking that - (a) the Auditor-General have the sole power to carry out, without fear or favour, the external audit on all agencies which are owned by, controlled by or substantially responsible to government; and (b) the Government immediately abandon its attempts to reduce the powers of the Auditor-General, bearing 1,932 and 6,284 signatures (*by Ms Garbutt and Mr Carli, respectively*)

**Waverley Park** - Seeking that the House - (a) do all in its power to ensure the long-term viability of Waverley Park as an AFL venue; (b) work with the AFL to improve car and bus access to the Park; and (c) assist in upgrading amenities at the ground, bearing 13,677 signatures (*by Mr Pandazopoulos*)

**Tullamarine Freeway - Sound Barriers** - Seeking that the proposed 2.5 metre high sound barriers on the Tullamarine Freeway should be increased to a height of 5 metres and extend from the Strathmore cutting eastwards from Pascoe Vale Road for a distance of 100 metres, bearing 40 signatures (*by Mrs Maddigan*)

**Combating Child Sexual Assault Report** - Seeking that the Government immediately enact key recommendations Nos. 6, 17, 18, 26, 30, 35, 44, 45, 68, 69, 73, 82, 89, 90, 105, 110, 111, 115, 121, 129 and 130 from the 1995 Parliamentary Report on "Combating Child Sexual Assault", bearing 650 signatures (*by Mrs Campbell*)

Severally ordered to lie on the Table.

- 3 **PETITIONS - AUDITOR-GENERAL** - Motion made and question - That the petitions presented by the Members for Bundoora and Coburg relating to the Auditor-General be taken into consideration tomorrow (*Ms Garbutt*) - put and agreed to.
- 4 **PETITION - COMBATING CHILD SEXUAL ASSAULT REPORT** - Motion made and question - That the petition presented by the Member for Pascoe Vale relating to the "Combating Child Sexual Assault" Report be taken into consideration tomorrow (*Mrs Campbell*) - put and agreed to.

- 5 **PETITION - WAVERLEY PARK** - Motion made and question - That the petition presented by the Member for Dandenong relating to Waverley Park be taken into consideration tomorrow (*Mr Pandazopoulos*) - put and agreed to.
- 6 **PAPER PURSUANT TO STATUTE** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:  
Auditor-General's Office - Report for the year 1996-97.
- 7 **FINANCIAL INSTITUTIONS LEGISLATION (AMENDMENT) BILL** - 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, read a third time forthwith.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 8 **ROAD TRANSPORT (DANGEROUS GOODS) (AMENDMENT) BILL** - 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, read a third time forthwith.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 9 **EDUCATION (WORK EXPERIENCE) BILL** - 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, read a third time forthwith.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 10 **FORESTS (DUNSTAN AGREEMENT) (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time. Bill read a second time and, by leave, read a third time forthwith.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 11 **SENTENCING (AMENDMENT) BILL** - 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 p.m.  
pursuant to Sessional Orders.*
- 12 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 13 **SENTENCING (AMENDMENT) BILL** - Debate continued on question - That this Bill be now read a second time. Bill read a second time and committed; considered in Committee.  
Committee reported progress; to sit again later this day.
- 14 **GEELONG PERFORMING ARTS CENTRE TRUST (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Kennett*).  
Motion made and question - That the debate be now adjourned (*Mrs Maddigan*) - put and agreed to.  
Ordered - That the debate be adjourned until tomorrow.

- 15 **CRIMES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).  
*Mrs Wade made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*  
 Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 23 October 1997.
- 16 **WILLS BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).  
 Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 23 October 1997.
- 17 **LAW AND JUSTICE LEGISLATION (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).  
 Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.  
 Motion made and question proposed - That the debate be adjourned for two weeks (*Mrs Wade*).  
 Amendment proposed - That the word "two" be omitted with the view of inserting in place thereof the word "six" (*Mr Hulls*) - and, after debate -  
 Question - That the word proposed to be omitted stand part of the question - put.  
 The House divided.

AYES, 51

Mr Andrighetto	Mr Lean	Mr Perrin	Mr Thompson
Mr Ashley	Mr Leigh	Mr Perton	Mr Traynor
Mr Clark	Mr Lupton	Mr Pescott	Mr Treasure
Mr Coleman	Mr McArthur	Mrs Peulich	Mrs Wade
Mr Cooper	Ms McCall	Mr Phillips	Mr Wells
Mr Dixon	Mrs McGill	Mr Plowman	
Mr Doyle	Mr McGrath	( <i>Benambra</i> )	
Mr Elder	( <i>Wimmera</i> )	Mr Reynolds	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	( <i>Frankston East</i> )	Mr Ryan	
Mr Gude	Mr McNamara	Mrs Shardey	
Mrs Henderson	Mr Maclellan	Mr Smith	<i>Tellers</i>
Mr Jasper	( <i>Pakenham</i> )	( <i>Polwarth</i> )	Ms Burke
Mr Jenkins	Mr Maughan	Mr Spry	Mr Kilgour
Mr John	Dr Napthine	Mr Steggall	Mr Smith
Mr Kennett	Mr Paterson	Mrs Tehan	( <i>Glen Waverley</i> )

NOES, 27

Mr Andrianopoulos	Ms Garbutt	Mr Loney	
Mr Baker	Ms Gillett	Mr Micallef	
Mr Batchelor	Mr Haermeyer	Mr Mildenhall	
Mr Bracks	Mr Hamilton	Mr Pandazopoulos	
Mrs Campbell	Mr Hulls	Mr Savage	<i>Tellers</i>
Mr Carli	Ms Kosky	Mr Seitz	Mr Cameron
Mr Cunningham	Mr Leighton	Mr Thwaites	Mr Langdon
Ms Davies	Mr Lim	Mrs Wilson	Mrs Maddigan

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 23 October 1997.

- 18 **TRANSPORT ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Cooper*).

*Allocation of time - Mr Acting Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of the House on Tuesday, 7 October 1997 had expired.*

- 19 **PORT SERVICES (AMENDMENT) BILL** - 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 and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 20 **SENTENCING (AMENDMENT) BILL** - Question - That Clause 1 and Clauses 2 to 29 inclusive stand part of the Bill and Government amendments Nos. 1 and 2 be agreed to and that this Bill be now read a third time and the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 21 **TRANSPORT ACTS (AMENDMENT) BILL** - Debate continued on question - That this Bill be now read a second time (*Mr Cooper*).

*Mr Cooper made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*

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

Ordered - That the debate be adjourned until Thursday, 23 October 1997.

- 22 **STATE TAXATION (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).

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

Ordered - That the debate be adjourned until Thursday, 23 October 1997.

- 23 **GAMING ACTS (MISCELLANEOUS AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).

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

Ordered - That the debate be adjourned until Thursday, 23 October 1997.

- 24 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*).

Amendment proposed - That all the words after "remaining" be omitted with the view of inserting in place thereof the expression "Orders of the Day, Government Business, and Notices of Motion, General Business, Nos. 1 to 70 inclusive be postponed until after Notice of Motion, General Business, No. 71" (*Mr Brumby*) - and, after debate -

Motion made and question - That the question be now put (*Mr McGrath, Wimmera*) - put.

The House divided.

AYES, 46

Mr Andrighetto	Mr McArthur	Mr Pescott	Mr Traynor
Mr Ashley	Ms McCall	Mrs Peulich	Mr Treasure
Mr Clark	Mrs McGill	Mr Phillips	Mrs Wade
Mr Coleman	Mr McGrath	Mr Plowman	
Mr Cooper	(Wimmera)	(Benambra)	
Mr Dixon	Mr McLellan	Mr Reynolds	
Mr Doyle	(Frankston East)	Mr Richardson	
Mr Elder	Mr McNamara	Mr Rowe	
Mrs Elliott	Mr Maclellan	Mr Ryan	
Mr Finn	(Pakenham)	Mrs Shardey	
Mr Gude	Mr Maughan	Mr Smith	Tellers
Mr John	Dr Napthine	(Polwarth)	Ms Burke
Mr Lean	Mr Paterson	Mr Spry	Mr Kilgour
Mr Leigh	Mr Perrin	Mrs Tehan	Mr Smith
Mr Lupton	Mr Perton	Mr Thompson	(Glen Waverley)

NOES, 27

Mr Andrianopoulos	Ms Davies	Mr Loney	
Mr Baker	Ms Garbutt	Mr Micallef	
Mr Batchelor	Mr Haermeyer	Mr Mildenhall	
Mr Bracks	Mr Hamilton	Mr Pandazopoulos	
Mr Brumby	Mr Hulls	Mr Savage	Tellers
Mrs Campbell	Ms Kosky	Mr Seitz	Mr Cameron
Mr Carli	Mr Leighton	Mr Thwaites	Ms Gillett
Mr Cunningham	Mr Lim	Mrs Wilson	Mr Langdon

And so it was resolved in the affirmative.

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

The House divided.

AYES, 46

Mr Andrighetto	Mr Lupton	Mr Perrin	Mr Spry
Mr Ashley	Mr McArthur	Mr Perton	Mrs Tehan
Mr Clark	Ms McCall	Mr Pescott	Mr Thompson
Mr Coleman	Mrs McGill	Mrs Peulich	Mr Traynor
Mr Cooper	Mr McGrath	Mr Phillips	Mr Treasure
Mr Dixon	(Wimmera)	Mr Plowman	Mrs Wade
Mr Doyle	Mr McLellan	(Benambra)	
Mr Elder	(Frankston East)	Mr Reynolds	
Mrs Elliott	Mr McNamara	Mr Richardson	
Mr Finn	Mr Maclellan	Mr Rowe	Tellers
Mr Gude	(Pakenham)	Mr Ryan	Ms Burke
Mr John	Mr Maughan	Mrs Shardey	Mr Kilgour
Mr Lean	Dr Napthine	Mr Smith	Mr Smith
Mr Leigh	Mr Paterson	(Polwarth)	(Glen Waverley)

## NOES, 27

Mr Andrianopoulos	Ms Davies	Mr Loney	
Mr Baker	Ms Garbutt	Mr Micallef	
Mr Batchelor	Mr Haermeyer	Mr Mildenhall	
Mr Bracks	Mr Hamilton	Mr Pandazopoulos	
Mr Brumby	Mr Hulls	Mr Savage	<i>Tellers</i>
Mrs Campbell	Ms Kosky	Mr Seitz	Mr Cameron
Mr Carli	Mr Leighton	Mr Thwaites	Ms Gillett
Mr Cunningham	Mr Lim	Mrs Wilson	Mr Langdon

And so it was resolved in the affirmative.

Question - That consideration of remaining business be postponed - put.

The House divided.

## AYES, 46

Mr Andrighetto	Mr Lupton	Mr Perrin	Mr Spry
Mr Ashley	Mr McArthur	Mr Perton	Mrs Tehan
Mr Clark	Ms McCall	Mr Pescott	Mr Thompson
Mr Coleman	Mrs McGill	Mrs Peulich	Mr Traynor
Mr Cooper	Mr McGrath	Mr Phillips	Mr Treasure
Mr Dixon	( <i>Wimmera</i> )	Mr Plowman	Mrs Wade
Mr Doyle	Mr McLellan	( <i>Benambra</i> )	
Mr Elder	( <i>Frankston East</i> )	Mr Reynolds	
Mrs Elliott	Mr McNamara	Mr Richardson	
Mr Finn	Mr Maclellan	Mr Rowe	<i>Tellers</i>
Mr Gude	( <i>Pakenham</i> )	Mr Ryan	Ms Burke
Mr John	Mr Maughan	Mrs Shardey	Mr Kilgour
Mr Lean	Dr Napthine	Mr Smith	Mr Smith
Mr Leigh	Mr Paterson	( <i>Polwarth</i> )	( <i>Glen Waverley</i> )

## NOES, 25

Mr Andrianopoulos	Mr Cunningham	Mr Lim	Mrs Wilson
Mr Baker	Ms Davies	Mr Loney	
Mr Batchelor	Ms Garbutt	Mr Micallef	
Mr Bracks	Mr Hamilton	Mr Mildenhall	<i>Tellers</i>
Mr Brumby	Mr Hulls	Mr Pandazopoulos	Mr Cameron
Mrs Campbell	Ms Kosky	Mr Savage	Ms Gillett
Mr Carli	Mr Leighton	Mr Seitz	Mr Langdon

And so it was resolved in the affirmative.

25 **ADJOURNMENT** - Resolved - That the House do now adjourn.

And the House, at 6.42 p.m., adjourned until Tuesday, 14 October 1997.

P. J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 65, 66 and 67

No. 65 - Tuesday, 14 October 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:

**Disability Organisations** - Seeking that funding is fully reinstated to all disability advocacy/information organisations across Victoria immediately, bearing 67 signatures (*by Mr Thwaites*).

Ordered to lie on the Table.

4 **PAPERS** -

**NATIONAL ROAD TRANSPORT COMMISSION** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the National Road Transport Commission for the year 1996-97 (*Mr Cooper*) - put and agreed to.

The said report was presented by Mr Cooper and ordered to lie on the Table.

**FEDERAL-STATE RELATIONS COMMITTEE** - Mr John, Chairman, brought up a Report from the Federal-State Relations Committee on International Treaty Making and The Role of the States, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendices to be printed.

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Thompson, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 8 of 1997 on the Geelong Performing Arts Centre Trust (Amendment) Bill, together with an Appendix.

Ordered to lie on the Table and the Report and Appendix to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Crown Land (Reserves) Act 1978 - Section 17DA Orders granting, under Section 17D, leases in the -

Bayside City Council  
City of Manningham  
City of Melbourne  
City of Port Phillip

Legal Practice Act 1958 - Report to the Attorney-General of the Legal Ombudsman in the Matter of a Complaint by Ronald V Legge, October 1997 - Ordered to be printed.

Murray Valley Wine Grape Industry Negotiating Committee - Report for the year 1996-97

National Parks Act 1975 - Report on the Workings of the Act for the year 1996-97

Parliamentary Officers Act 1975 -

Statement of Appointments and Alterations of Classifications during the year 1996-97 in the -

Department of the Legislative Council

Department of the Legislative Assembly

Department of the Parliament Library

Department of the Parliamentary Services

Department of the Reporting Staff of the Victorian Parliamentary Debates

Statement of Persons Temporarily Employed during the year 1996-97 in the -

Department of the Legislative Council

Department of the Legislative Assembly

Department of the Parliament Library

Department of the Parliamentary Services

Department of the Reporting Staff of the Victorian Parliamentary Debates

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

All Planning Schemes - No. S67

Ballarat Planning Scheme - No. L24

Berwick Planning Scheme - No. L124

Greater Bendigo Planning Scheme - No. L64

Hume Planning Scheme - No. L10

Knox Planning Scheme - Nos. L148, L150

Maribyrnong Planning Scheme - No. L28

Mildura Shire Planning Scheme - No. L45

Port Phillip Planning Scheme - No. L56

Stonnington Planning Scheme - No. L27

Whitehorse Planning Scheme - No. L27

South East Water Limited - Report for the year 1996-97

Statutory Rules under the following Acts:

Births, Deaths and Marriages Registration Act 1996 - S.R. No. 100

Borrowing and Investment Powers Act 1987 - S.R. No. 104

Co-operatives Act 1996 - S.R. No. 103

Estate Agents Act 1980 - S.R. No. 102

Friendly Societies (Victoria) Act 1996 - S.R. No. 101

Subordinate Legislation Act 1994 - Minister's exemption certificate in relation to Statutory Rule No. 102

Tomato Industry Negotiating Committee - Report for the year 1996-97

Victorian Plantations Corporation - Report for the year 1996-97

Victorian WorkCover Authority - Report for the year 1996-97

Zoological Parks and Gardens Board - Report for the year 1996-97 (two papers).

**5 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

- Gaming Acts (Miscellaneous Amendment) Bill
- Law and Justice Legislation (Further Amendment) Bill
- Mental Health (Victorian Institute of Forensic Mental Health) Bill
- State Taxation (Amendment) Bill
- Transport Acts (Amendment) Bill.

**6 GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 p.m., Thursday, 16 October 1997:

- Hire-Purchase (Further Amendment) Bill
- Wildlife (Amendment) Bill
- Disability Services and Other Acts (Amendment) Bill
- Health Services (Amendment) Bill
- Urban Land Corporation Bill
- Docklands Authority (Amendment) Bill
- Local Government (Miscellaneous Amendment) Bill
- Melbourne Sports and Aquatic Centre (Amendment) Bill
- Vocational Education and Training (Training Framework) Bill
- University Acts (Further Amendment) Bill
- University of Ballarat (Amendment) Bill
- Geelong Performing Arts Centre Trust (Amendment) Bill

(Mr Gude) - after debate, put.

The House divided.

AYES, 53

Mr Andrighetto	Mr John	Mr Maughan	Mr Spry
Mr Ashley	Mr Lean	Dr Napthine	Mr Steggall
Mr Clark	Mr Leigh	Mr Paterson	Mrs Tehan
Mr Coleman	Mr Lupton	Mr Perrin	Mr Thompson
Mr Cooper	Mr McArthur	Mr Perton	Mr Traynor
Dr Dean	Ms McCall	Mr Pescott	Mr Treasure
Mr Dixon	Mrs McGill	Mrs Peulich	Mrs Wade
Mr Doyle	Mr McGrath	Mr Phillips	Mr Wells
Mr Elder	(Warrnambool)	Mr Plowman	
Mrs Elliott	Mr McGrath	(Benambra)	
Mr Finn	(Wimmera)	Mr Reynolds	
Mr Gude	Mr McLellan	Mr Richardson	Tellers
Mrs Henderson	(Frankston East)	Mr Rowe	Ms Burke
Mr Honeywood	Mr McNamara	Mrs Shardey	Mr Kilgour
Mr Jasper	Mr Maclellan	Mr Smith	Mr Smith
Mr Jenkins	(Pakenham)	(Polwarth)	(Glen Waverley)

## NOES, 29

Mr Andrianopoulos	Mr Dollis	Mr Lim	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Batchelor	Ms Gillett	Mr Micallef	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Mr Hulls	Mr Savage	Mr Cameron
Mr Cunningham	Ms Kosky	Mr Seitz	Mr Langdon
Ms Davies	Mr Leighton	Mr Sheehan	Mrs Maddigan

And so it was resolved in the affirmative.

- 7 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.
- 8 **HIRE-PURCHASE (FURTHER AMENDMENT) BILL** - 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 (*Dr Dean*) - put and agreed to.  
Ordered - That the debate be adjourned until later this day.
- 9 **WILDLIFE (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.  
Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move amendments in Committee 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 McArthur*).  
Question - put.  
The House divided.

## AYES, 52

Mr Andrighetto	Mr Lean	Mr Perrin	Mrs Tehan
Mr Ashley	Mr Leigh	Mr Perton	Mr Thompson
Mr Clark	Mr Lupton	Mr Pescott	Mr Traynor
Mr Coleman	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Cooper	Ms McCall	Mr Phillips	Mrs Wade
Dr Dean	Mrs McGill	Mr Plowman	Mr Wells
Mr Dixon	Mr McGrath	( <i>Benambra</i> )	
Mr Doyle	( <i>Wimmera</i> )	Mr Reynolds	
Mr Elder	Mr McLellan	Mr Richardson	
Mrs Elliott	( <i>Frankston East</i> )	Mr Rowe	
Mr Finn	Mr McNamara	Mrs Shardey	
Mrs Henderson	Mr Maclellan	Mr Smith	<i>Tellers</i>
Mr Honeywood	( <i>Pakenham</i> )	( <i>Polwarth</i> )	Ms Burke
Mr Jasper	Mr Maughan	Mr Spry	Mr Kilgour
Mr Jenkins	Dr Napthine	Mr Steggall	Mr Smith
Mr John	Mr Paterson	Mr Stockdale	( <i>Glen Waverley</i> )

NOES, 29

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mr Thwaites
Mr Baker	Mr Dollis	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Cameron
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Mr Cunningham	Ms Kosky	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Motion made and question proposed - That the debate be adjourned until later this day  
(*Mrs Wade*).

Amendment proposed - That all words after "until" be omitted with the view of inserting in place thereof the words "the first change in business after the evening meal break"  
(*Mr Batchelor*) - and, after debate -

Motion made and question - That the question be now put (*Dr Napthine*) - put.

The House divided.

AYES, 51

Mr Andrighetto	Mr Leigh	Mr Perton	Mr Thompson
Mr Ashley	Mr Lupton	Mr Pescott	Mr Traynor
Mr Clark	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Coleman	Ms McCall	Mr Phillips	Mrs Wade
Mr Cooper	Mrs McGill	Mr Plowman	Mr Wells
Dr Dean	Mr McGrath	( <i>Benambra</i> )	
Mr Dixon	( <i>Wimmera</i> )	Mr Reynolds	
Mr Doyle	Mr McLellan	Mr Richardson	
Mrs Elliott	( <i>Frankston East</i> )	Mr Rowe	
Mr Finn	Mr McNamara	Mrs Shardey	
Mrs Henderson	Mr Maclellan	Mr Smith	
Mr Honeywood	( <i>Pakenham</i> )	( <i>Polwarth</i> )	<i>Tellers</i>
Mr Jasper	Mr Maughan	Mr Spry	Ms Burke
Mr Jenkins	Dr Napthine	Mr Steggall	Mr Kilgour
Mr John	Mr Paterson	Mr Stockdale	Mr Smith
Mr Lean	Mr Perrin	Mrs Tehan	( <i>Glen Waverley</i> )

NOES, 29

Mr Andrianopoulos	Mr Cunningham	Ms Kosky	Mr Thwaites
Mr Baker	Ms Davies	Mr Leighton	Mrs Wilson
Mr Batchelor	Mr Dollis	Mr Lim	
Mr Bracks	Ms Garbutt	Mr Loney	
Mr Brumby	Ms Gillett	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Haermeyer	Mr Savage	Mr Cameron
Mr Carli	Mr Hamilton	Mr Seitz	Mr Langdon
Mr Cole	Mr Hulls	Mr Sheehan	Mrs Maddigan

And so it was resolved in the affirmative.

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

The House divided.

AYES, 50

Mr Andrighetto	Mr Lean	Mr Paterson	Mr Steggall
Mr Ashley	Mr Leigh	Mr Perrin	Mrs Tehan
Mr Clark	Mr Lupton	Mr Perton	Mr Thompson
Mr Coleman	Mr McArthur	Mr Pescott	Mr Traynor
Mr Cooper	Ms McCall	Mrs Peulich	Mr Treasure
Dr Dean	Mrs McGill	Mr Phillips	Mrs Wade
Mr Dixon	Mr McGrath	Mr Plowman	Mr Wells
Mr Doyle	( <i>Wimmera</i> )	( <i>Benambra</i> )	
Mrs Elliott	Mr McLellan	Mr Reynolds	
Mr Finn	( <i>Frankston East</i> )	Mr Richardson	
Mrs Henderson	Mr McNamara	Mr Rowe	<i>Tellers</i>
Mr Honeywood	Mr Maclellan	Mrs Shardey	Ms Burke
Mr Jasper	( <i>Pakenham</i> )	Mr Smith	Mr Kilgour
Mr Jenkins	Mr Maughan	( <i>Polwarth</i> )	Mr Smith
Mr John	Dr Napthine	Mr Spry	( <i>Glen Waverley</i> )

NOES, 29

Mr Andrianopoulos	Mr Cunningham	Ms Kosky	Mr Thwaites
Mr Baker	Ms Davies	Mr Leighton	Mrs Wilson
Mr Batchelor	Mr Dollis	Mr Lim	
Mr Bracks	Ms Garbutt	Mr Loney	<i>Tellers</i>
Mr Brumby	Ms Gillett	Mr Mildenhall	Mr Cameron
Mrs Campbell	Mr Haermeyer	Mr Savage	Mr Langdon
Mr Carli	Mr Hamilton	Mr Seitz	Mr Maddigan
Mr Cole	Mr Hulls	Mr Sheehan	

And so it was resolved in the affirmative.

Question - That the debate be adjourned until later this day - put.

The House divided.

AYES, 50

Mr Andrighetto	Mr Leigh	Mr Perton	Mr Traynor
Mr Ashley	Mr Lupton	Mr Pescott	Mr Treasure
Mr Clark	Mr McArthur	Mrs Peulich	Mrs Wade
Mr Coleman	Ms McCall	Mr Phillips	Mr Wells
Mr Cooper	Mrs McGill	Mr Plowman	
Dr Dean	Mr McGrath	( <i>Benambra</i> )	
Mr Dixon	( <i>Wimmera</i> )	Mr Reynolds	
Mr Doyle	Mr McLellan	Mr Richardson	
Mrs Elliott	( <i>Frankston East</i> )	Mr Rowe	
Mr Finn	Mr McNamara	Mrs Shardey	
Mrs Henderson	Mr Maclellan	Mr Smith	
Mr Honeywood	( <i>Pakenham</i> )	( <i>Polwarth</i> )	<i>Tellers</i>
Mr Jasper	Mr Maughan	Mr Spry	Ms Burke
Mr Jenkins	Dr Napthine	Mr Steggall	Mr Kilgour
Mr John	Mr Paterson	Mrs Tehan	Mr Smith
Mr Lean	Mr Perrin	Mr Thompson	( <i>Glen Waverley</i> )

NOES, 29

Mr Andrianopoulos	Mr Cunningham	Ms Kosky	Mr Thwaites
Mr Baker	Ms Davies	Mr Leighton	Mrs Wilson
Mr Batchelor	Mr Dollis	Mr Lim	
Mr Bracks	Ms Garbutt	Mr Loney	
Mr Brumby	Ms Gillett	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Haermeyer	Mr Savage	Mr Cameron
Mr Carli	Mr Hamilton	Mr Seitz	Mr Langdon
Mr Cole	Mr Hulls	Mr Sheehan	Mrs Maddigan

And so it was resolved in the affirmative.

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

- 10 **DISABILITY SERVICES AND OTHER ACTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 11 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.06 p.m.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 66 - Wednesday, 15 October 1997

- Mr Speaker took the Chair and read the Prayer.
- PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
  - Entertainment Venues - Bendigo** - Seeking that the House (a) review the legislation which enables new operators to use liquor licences and planning permits for existing venues; and (b) involve community consultation in the establishment of sexually explicit entertainment venues in Bendigo, bearing 8,617 signatures (*by Mr Cameron*)
  - Voluntary Euthanasia Referendum** - Seeking that the House will enact legislation which allows for a statewide referendum on legalising strictly and properly regulated voluntary euthanasia for the terminally ill, bearing 4,074 signatures (*by Mr Carli*)
  - Drug Squads - St. Albans** - Seeking that the Government instigates special drug squads to overcome the drug problem occurring in the St. Albans neighbourhood, bearing 81 signatures (*by Mr Seitz*)

**Traffic Management Procedures - St. Albans** - Seeking that the Government instigates special traffic management procedures and constructions to overcome the dangerous traffic conditions and acts of dangerous driving in the St. Albans neighbourhood, 152 signatures (*by Mr Seitz*).

Severally ordered to lie on the Table.

**3 PAPERS -**

**ENVIRONMENT AND NATURAL RESOURCES COMMITTEE** - Ms Garbutt brought up a Report from the Environment and Natural Resources Committee on Ballast Water and Hull Fouling in Victoria, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendices to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the direction of several Acts of Parliament, were laid upon the Table by the Clerk:

Energy Victoria - Report for the year 1996-97

Melbourne Market Authority - Report for the year 1996-97

Parks Victoria - Report for the year 1996-97

Victorian Government Purchasing Board (including annual Procurement Report) - Report for the year 1996-97.

**4 MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Veterinary Practice Bill

Melbourne and Olympic Parks (Amendment) Bill

Associations Incorporation (Amendment) Bill

Construction Industry Long Service Leave Bill

Drugs, Poisons and Controlled Substances (Amendment) Bill.

**5 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Food (Amendment) Bill.

**6 CONCURRENT DEBATE - UNIVERSITY ACTS (FURTHER AMENDMENT) BILL AND UNIVERSITY OF BALLARAT (AMENDMENT) BILL** - Motion made, by leave, and question - That this House authorizes and requires Mr. Speaker to permit the second reading and subsequent stages of the University Acts (Further Amendment) Bill and the University of Ballarat (Amendment) Bill to be moved and debated concurrently (*Mr Honeywood*) - put and agreed to.

**7 RURAL VICTORIA** - Motion made and question proposed - That this House acknowledges rural Victoria's huge contribution to the Victorian economy and notes with concern the Government's lack of support for rural industries and communities as evidenced by its - (a) lack of encouragement for economic development in country Victoria; (b) decision to end the uniform electricity tariff, leading to higher electricity charges for farmers and rural consumers; (c) privatisation and downsizing of four Government regional veterinary laboratories; (d) closure of rural schools and hospitals; (e) failure to take effective action to prevent country people paying significantly more for petrol than Melbourne residents; (f) closure of 6 passenger rail services in country Victoria; (g) failure to develop effective transport linkages to export markets, in particular its failure to ensure effective reforms and

improvements are made to the operation of the Port of Melbourne; and (h) lack of adequate direction and support for the Victorian wool industry (*Mr Brumby*) - and, after debate -

*General Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 8 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 9 **PLANNING AND ENVIRONMENT (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*), after debate, obtained leave with Mr McGrath (*Wimmera*), to bring in a Bill "*to amend the Planning and Environment Act 1987, the Project Development and Construction Management Act 1994 and the Land Acquisition and Compensation Act 1986 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **LEGAL PRACTICE (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Stockdale, to bring in a Bill "*to amend the Legal Practice Act 1996 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **UNCLAIMED MONEYS (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mrs Wade, to bring in a Bill "*to amend the Unclaimed Moneys Act 1962 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **FOOD (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).  
Motion made and question - That the debate be now adjourned (*Mr Thwaites*) - put and agreed to.  
Ordered - That the debate be adjourned until Wednesday, 29 October 1997.
- 13 **VOCATIONAL EDUCATION AND TRAINING (TRAINING FRAMEWORK) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.  
Question put.  
The House divided.

AYES, 52

Mr Andrighetto  
Mr Clark  
Mr Coleman  
Mr Cooper  
Ms Davies  
Dr Dean  
Mr Dixon  
Mr Doyle  
Mr Elder  
Mrs Elliott  
Mr Finn  
Mr Gude  
Mrs Henderson  
Mr Honeywood  
Mr Jenkins  
Mr John

Mr Lean  
Mr Leigh  
Mr Lupton  
Mr McArthur  
Ms McCall  
Mrs McGill  
Mr McLellan  
(*Frankston East*)  
Mr McNamara  
Mr Maclellan  
(*Pakenham*)  
Mr Maughan  
Dr Napthine  
Mr Paterson  
Mr Perrin  
Mr Pertone

Mr Pescott  
Mrs Peulich  
Mr Phillips  
Mr Plowman  
(*Benambra*)  
Mr Reynolds  
Mr Richardson  
Mr Rowe  
Mr Savage  
Mrs Shardey  
Mr Smith  
(*Polwarth*)  
Mr Spry  
Mr Steggall  
Mr Stockdale  
Mrs Tehan

Mr Thompson  
Mr Traynor  
Mr Treasure  
Mrs Wade  
Mr Wells

*Tellers*  
Ms Burke  
Mr Kilgour  
Mr Smith  
(*Glen Waverley*)

## NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	
Mr Baker	Mr Dollis	Mr Lim	
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Mildenhall	
Mr Brumby	Mr Haermeyer	Mr Seitz	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Sheehan	Mr Cameron
Mr Carli	Mr Hulls	Mr Thwaites	Mr Langdon
Mr Cole	Ms Kosky	Mrs Wilson	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 **UNIVERSITY ACTS (FURTHER AMENDMENT) BILL AND UNIVERSITY OF BALLARAT (AMENDMENT) BILL** - Order read for resuming debate on question - That these Bills be now read a second time.

Pursuant to Sessional Orders, Mr Hamilton announced that it was proposed to move amendments to both Bills in Committee and requested that they be circulated. Amendments circulated.

Debate resumed on question - That these Bills be now read a second time; Bills read a second time and committed; considered in Committee and both Bills reported without amendment; Bills read a third time.

Ordered - That these Bills be transmitted to the Legislative Council and their concurrence desired therein.

- 15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Electricity Industry (Further Miscellaneous Amendment) Bill without amendment.

- 16 **GEELONG PERFORMING ARTS CENTRE TRUST (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Mr Gude*) - put and agreed to.

Debate continued on question - That this Bill be now read a second time.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 17 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 6 and 7, be postponed until later this day.

- 18 **DOCKLANDS AUTHORITY (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Dollis announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Question put.

The House divided.

AYES, 54

Mr Andrighetto	Mr Jenkins	Dr Napthine	Mr Steggall
Mr Ashley	Mr John	Mr Paterson	Mr Stockdale
Mr Clark	Mr Lean	Mr Perrin	Mrs Tehan
Mr Coleman	Mr Leigh	Mr Pescott	Mr Thompson
Mr Cooper	Mr Lupton	Mrs Peulich	Mr Traynor
Ms Davies	Mr McArthur	Mr Phillips	Mr Treasure
Dr Dean	Ms McCall	Mr Plowman	Mrs Wade
Mr Dixon	Mrs McGill	(Benambra)	Mr Wells
Mr Doyle	Mr McGrath	Mr Reynolds	
Mr Elder	(Wimmera)	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Rowe	Tellers
Mr Finn	(Frankston East)	Mr Savage	Ms Burke
Mr Gude	Mr McNamara	Mrs Shardey	Mr Kilgour
Mrs Henderson	Mr Maclellan	Mr Smith	Mr Smith
Mr Honeywood	(Pakenham)	(Polwarth)	(Glen Waverley)
Mr Jasper	Mr Maughan	Mr Spry	

NOES, 27

Mr Andrianopoulos	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	
Mr Carli	Mr Hulls	Mr Seitz	Tellers
Mr Cole	Ms Kosky	Mr Sheehan	Mr Cameron
Mr Cunningham	Mr Leighton	Mr Thwaites	Mr Langdon
Mr Dollis	Mr Lim	Mrs Wilson	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

19 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.

20 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.

And the House, at 11.06 p.m., adjourned until tomorrow.

P. J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## No. 67 - Thursday, 16 October 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
 

**Veterinary Practices** - Seeking that - (a) veterinary surgery or medicine be regulated to ensure only qualified and registered veterinarians are allowed to practice; and (b) restrictions on who may own veterinary practices be maintained, bearing 705 signatures (*by Ms Gillett*).

Ordered to lie on the Table.
- 3 **PETITION - VETERINARY PRACTICES** - Motion made and question - That the petition presented by the Member for Werribee relating to veterinarians be taken into consideration tomorrow (*Ms Gillett*) - put and agreed to.
- 4 **PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 

EcoRecycle Victoria - Report for the year 1996-97

Flora and Fauna Guarantee Act 1988 - Order in Council adding items to Schedule 2 - List of Taxa and Communities of Flora and Fauna which are threatened; and Revocation of an Order adding items to Schedule 2

Gas Transmission Corporation - Report for the year 1996-97

Interpretation of Legislation Act 1984 - Notice under section 32(3)(a) in relation to an Order varying State Environment Protection Policy (Waters of Victoria) (Government Gazette No. 39, 2 October 1997)

Planning and Environment Act 1987 - Amendment No. 105 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan

Public Sector Capital Works Program (Budget Information Paper No. 1) - Program for the year 1997-98

Quiet Life Limited - Report for the year 1996-97

Urban Land Authority - Report for the year 1996-97.
- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 28 October 1997 (*Mr Gude*) - put and agreed to.
- 6 **UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN** - Motion made and question - That pursuant to section 46D(1)(c) of the **Planning and Environment Act 1987**, Amendment Nos. 101, 103, 104 and 107 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved (*Mr Maclellan, Pakenham*) - put and agreed to.
- 7 **LOCAL GOVERNMENT (MISCELLANEOUS AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
 

Pursuant to Sessional Orders, Mr Maclellan (*Pakenham*) announced that it was proposed to move amendments in Committee 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 place thereof the words "this House refuses to read the Bill a second time until such time as - (a) the rights of ratepayers and residents are protected and that democracy, transparency and accountability in local government decision making is guaranteed after there has been direct consultation with all municipalities concerning changes to boundaries, electoral structure, entitlement to enrol, conduct of polls and mayoral and councillor allowances; and (b) the Minister ensures the transparency and accountability at all levels of Local Government administration by making a full statement to the House in relation to the conflicts of interest regarding the Parliamentary Secretary for Local Government" (*Mr Dollis*).

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

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

8 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That the Government Business Program resolution agreed to by this House on 14 October 1997 be amended by omitting "4.00 p.m." and inserting "5.00 p.m." (*Mr Gude*) - put and agreed to.

9 **LOCAL GOVERNMENT (MISCELLANEOUS AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read the Bill a second time until such time as - (a) the rights of ratepayers and residents are protected and that democracy, transparency and accountability in local government decision making is guaranteed after there has been direct consultation with all municipalities concerning changes to boundaries, electoral structure, entitlement to enrol, conduct of polls and mayoral and councillor allowances; and (b) the Minister ensures the transparency and accountability at all levels of Local Government administration by making a full statement to the House in relation to the conflicts of interest regarding the Parliamentary Secretary for Local Government" - and, after debate.

Motion made and question - That the debate be now adjourned (*Mr Smith, Glen Waverley*) - put and agreed to.

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

10 **QUESTIONS** - (Pursuant to Standing Order No. 124).

11 **URBAN LAND CORPORATION BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until Members of Parliament and the public have had adequate time to consider whether - (a) the charter of the corporation needs to be guaranteed by legislation; (b) the power of the corporation should be independent of the Minister; (c) the corporation should play a role in the market place to ensure that housing prices are maintained at affordable levels; and (d) the dividends of the corporation should be reinvested in the corporation instead of being channelled into the Consolidated Fund" (*Mr Dollis*) - and, after debate.

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

The House divided.

AYES, 53

Mr Andrighetto	Mr John	Dr Napthine	Mr Stockdale
Mr Ashley	Mr Kennett	Mr Paterson	Mrs Tehan
Mr Clark	Mr Lean	Mr Perrin	Mr Thompson
Mr Coleman	Mr Leigh	Mr Perton	Mr Traynor
Mr Cooper	Mr Lupton	Mrs Peulich	Mr Treasure
Ms Davies	Mr McArthur	Mr Phillips	Mrs Wade
Dr Dean	Ms McCall	Mr Plowman	Mr Wells
Mr Dixon	Mrs McGill	(Benambra)	
Mr Doyle	Mr McGrath	Mr Reynolds	
Mrs Elliott	(Wimmera)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(Frankston East)	Mr Savage	Tellers
Mrs Henderson	Mr McNamara	Mrs Shardey	Ms Burke
Mr Honeywood	Mr MacLellan	Mr Smith	Mr Kilgour
Mr Jasper	(Pakenham)	Mr Spry	Mr Smith
Mr Jenkins	Mr Maughan		(Glen Waverley)

NOES, 26

Mr Andrianopoulos	Mr Cunningham	Ms Kosky	Mr Thwaites
Mr Baker	Mr Dollis	Mr Leighton	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Lim	
Mr Bracks	Ms Gillett	Mr Loney	Tellers
Mr Brumby	Mr Haermeyer	Mr Micallef	Mr Cameron
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Langdon
Mr Carli	Mr Hulls	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 12 **MELBOURNE SPORTS AND AQUATIC CENTRE (AMENDMENT) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 13 **HEALTH SERVICES (AMENDMENT) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 5 and 6, be postponed until later this day.

- 15 **DISABILITY SERVICES AND OTHER ACTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

*Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of the House on Tuesday, 14 October 1997 and as amended on Thursday, 16 October 1997 had expired.*

Bill read a second time.

Question - That the Bill be now read a third time and be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 16 **LOCAL GOVERNMENT (MISCELLANEOUS AMENDMENT) BILL-** 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 place thereof the words "this House refuses to read the Bill a second time until such time as - (a) the rights of ratepayers and residents are protected and that democracy, transparency and accountability in local government decision making is guaranteed after there has been direct consultation with all municipalities concerning changes to boundaries, electoral structure, entitlement to enrol, conduct of polls and mayoral and councillor allowances; and (b) the Minister ensures the transparency and accountability at all levels of Local Government administration by making a full statement to the House in relation to the conflicts of interest regarding the Parliamentary Secretary for Local Government".

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

The House divided.

AYES, 49

Mr Andrighetto	Mr Lean	Mr Maughan	Mr Steggall
Mr Ashley	Mr Leigh	Dr Napthine	Mr Stockdale
Mr Clark	Mr Lupton	Mr Paterson	Mr Thompson
Mr Coleman	Mr McArthur	Mr Perrin	Mr Traynor
Dr Dean	Ms McCall	Mrs Peulich	Mr Treasure
Mr Dixon	Mrs McGill	Mr Phillips	Mr Wade
Mr Doyle	Mr McGrath	Mr Plowman	Mr Wells
Mrs Elliott	(Warrnambool)	(Benambra)	
Mr Finn	Mr McGrath	Mr Reynolds	
Mr Gude	(Wimmera)	Mr Richardson	
Mrs Henderson	Mr McLellan	Mr Rowe	Tellers
Mr Honeywood	(Frankston East)	Mrs Shardey	Ms Burke
Mr Jasper	Mr McNamara	Mr Smith	Mr Kilgour
Mr Jenkins	Mr Maclellan	(Polwarth)	Mr Smith
Mr John	(Pakenham)	Mr Spry	(Glen Waverley)

NOES, 29

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mr Thwaites
Mr Baker	Mr Dollis	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Pandazopoulos	Tellers
Mrs Campbell	Mr Hamilton	Mr Savage	Mr Cameron
Mr Carli	Mr Hulls	Mr Seitz	Mr Langdon
Mr Cunningham	Ms Kosky	Mr Sheehan	Mrs Maddigan

And so it was resolved in the affirmative.

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

The House divided.

AYES, 49

Mr Andrighetto	Mr Lean	Mr Maughan	Mr Spry
Mr Ashley	Mr Leigh	Dr Napthine	Mr Steggall
Mr Clark	Mr Lupton	Mr Paterson	Mr Thompson
Mr Coleman	Mr McArthur	Mr Perrin	Mr Traynor
Dr Dean	Ms McCall	Mr Perton	Mr Treasure
Mr Dixon	Mrs McGill	Mrs Peulich	Mrs Wade
Mr Doyle	Mr McGrath	Mr Phillips	Mr Wells
Mrs Elliott	(Warrnambool)	Mr Plowman	
Mr Finn	Mr McGrath	(Benambra)	
Mr Gude	(Wimmera)	Mr Reynolds	<i>Tellers</i>
Mrs Henderson	Mr McLellan	Mr Richardson	Ms Burke
Mr Honeywood	(Frankston East)	Mr Rowe	Mr Kilgour
Mr Jasper	Mr McNamara	Mrs Shardey	Mr Smith
Mr Jenkins	Mr Maclellan	Mr Smith	(Glen Waverley)
Mr John	(Pakenham)	(Polwarth)	

NOES, 29

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mr Thwaites
Mr Baker	Mr Dollis	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	<i>Tellers</i>
Mr Brumby	Mr Haermeyer	Mr Pandazopoulos	Mr Cameron
Mrs Campbell	Mr Hamilton	Mr Savage	Mr Langdon
Mr Carli	Mr Hulls	Mr Seitz	Mrs Maddigan
Mr Cunningham	Ms Kosky	Mr Sheehan	

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Question - That Government amendments Nos. 1 to 3 inclusive be agreed to - 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.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

17 **HIRE-PURCHASE (FURTHER AMENDMENT) BILL**- 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 and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put.

The House divided.

AYES, 50

Mr Andrighetto	Mr Leigh	Mr Paterson	Mr Thompson
Mr Ashley	Mr Lupton	Mr Perrin	Mr Traynor
Mr Clark	Mr McArthur	Mr Perton	Mr Treasure
Mr Coleman	Ms McCall	Mrs Peulich	Mrs Wade
Dr Dean	Mrs McGill	Mr Phillips	Mr Wells
Mr Dixon	Mr McGrath	Mr Plowman	
Mr Doyle	(Warrnambool)	(Benambra)	
Mrs Elliott	Mr McGrath	Mr Reynolds	
Mr Finn	(Wimmera)	Mr Richardson	
Mr Gude	Mr McLellan	Mr Rowe	
Mrs Henderson	(Frankston East)	Mrs Shardey	
Mr Honeywood	Mr McNamara	Mr Smith	<i>Tellers</i>
Mr Jasper	Mr Maclellan	(Polwarth)	Ms Burke
Mr Jenkins	(Pakenham)	Mr Spry	Mr Kilgour
Mr John	Mr Maughan	Mr Steggall	Mr Smith
Mr Lean	Dr Napthine	Mr Stockdale	(Glen Waverley)

NOES, 29

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mr Thwaites
Mr Baker	Mr Dollis	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Pandazopoulos	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Savage	Mr Cameron
Mr Carli	Mr Hulls	Mr Seitz	Mr Langdon
Mr Cunningham	Ms Kosky	Mr Sheehan	Mrs Maddigan

And so it was resolved in the affirmative.

- 18 **WILDLIFE (AMENDMENT) BILL**- 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 amendments Nos. 1 to 41 inclusive be agreed to, the Bill be read a third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.
- 19 **PLANNING AND ENVIRONMENT (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).  
 Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 30 October 1997.
- 20 **LEGAL PRACTICE (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).  
*Mrs Wade made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*  
 Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 30 October 1997.

- 21 **UNCLAIMED MONEYS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 30 October 1997.
- 22 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 23 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 6.16 p.m., adjourned until Tuesday, 28 October 1997.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

# LEGISLATIVE ASSEMBLY OF VICTORIA

## VOTES AND PROCEEDINGS

Nos. 68, 69 and 70

### No. 68 - Tuesday, 28 October 1997

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
  - Williamstown Road** - Seeking that the House not support the proposed development of Williamstown Road as the major thoroughfare for all traffic heading to and from City Link and Webb Dock, bearing 439 signatures (*by Mr Thwaites*)
  - Natural Gas Supply** - Seeking that the Premier immediately takes charge of ensuring the supply of natural gas to Portarlington, St. Leonards and Indented Heads, bearing 1,114 signatures (*by Mr Loney*).Severally ordered to lie on the Table.
- 4 **PETITION - NATURAL GAS SUPPLY** - Motion made and question - That the petition presented by the Member for Geelong North relating to natural gas supply be taken into consideration tomorrow (*Mr Loney*) - put and agreed to.
- 5 **PETITION - WILLIAMSTOWN ROAD** - Motion made and question - That the petition presented by the Member for Albert Park relating to Williamstown Road be taken into consideration tomorrow (*Mr Thwaites*) - put and agreed to.
- 6 **PAPERS** -
  - SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 9 of 1997 on the -
    - Mental Health (Victorian Institute of Forensic Mental Health) Bill
    - Law and Justice Legislation (Further Amendment) Bill
    - Wills Bill
    - Transport Acts (Amendment) Bill
    - Gaming Acts (Miscellaneous Amendment) Bill
    - State Taxation (Amendment) Bill
    - Crimes (Amendment) Bill
    - Legal Practice (Amendment) Bill
    - Unclaimed Moneys (Amendment) Bill
    - Food (Amendment) Bill
    - Planning and Environment (Amendment) Bill
    - University of Ballarat (Amendment) Bill
    - University Acts (Further Amendment) Billtogether with an Appendix.

Ordered to lie on the Table and to be printed.

**PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Sheehan, brought up the 1996-97 Annual Report of the Public Accounts and Estimates Committee, together with Appendices.

Ordered to lie on the Table and to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

- Anti-Discrimination Tribunal - Report for the year 1996-97
- Bacchus Marsh and Melton Memorial Hospital - Report for the year 1996-97
- Bairnsdale Regional Health Service - Report for the year 1996-97
- Beechworth Hospital - Report for the year 1996-97
- Benalla and District Memorial Hospital - Report for the year 1996-97
- Boort District Hospital - Report for the year 1996-97
- City West Water Limited - Report for the year 1996-97
- Cohuna District Hospital and Cohuna Community Nursing Home - Report for the year 1996-97
- Construction Industry Long Service Leave Board (CoINVEST) - Report for the year 1996-97
- Crimes Compensation Tribunal - Report for the year 1996-97
- Crown Land (Reserves) Act 1978 - Section 17DA Order granting, under Section 17D, a lease on the Point Leo Foreshore
- East Grampians Health Service - Report for the year 1996-97
- Emerald Tourist Railway Board - Report for the year 1996-97
- Emergency Services Superannuation Scheme - Report for the year 1996-97
- Environment Protection Authority - Report for the year 1996-97
- Financial Management Act 1994 -
  - Financial Operations Statement - Report for the year 1996-97
  - Auditor-General Report on the Government's Financial Statement 1996-97

Severally ordered to be printed.

Reports of the Minister for Health that he had received the 1996-97 Annual Reports of the -

- Alexandra District Hospital
- Beaufort and Skipton Health Service
- Cobram District Hospital
- Far East Gippsland Health and Support Service
- Maffra District Hospital
- Mansfield District Hospital
- Nathalia District Hospital
- Numurkah and District War Memorial Hospital
- St Arnaud District Hospital
- Tallangatta Hospital
- Yarrowonga District Hospital
- Yea and District Memorial Hospital

- 
- Forests (Dunstan Agreement) Act 1987 - Amending Agreement pursuant to section 6
- Gas and Fuel - Report for the year 1996-97
- Goulburn Valley Base Hospital - Report for the year 1996-97 (two papers)
- Greyhound Racing Control Board - Report for the year 1996-97
- Hospitals Superannuation Board - Report for the year 1996-97
- Ingelwood and Districts Health Service - Report for the year 1996-97
- Intellectual Disability Review Panel - Report for the year 1996-97
- Kerang and District Hospital - Report for the year 1996-97
- Kyabram and District Memorial Community Hospital - Report for the year 1996-97
- Latrobe Regional Hospital - Report for the year 1996-97 (two papers)
- Liquor Licensing Commission - Report for the year 1996-97
- Loy Yang B Power Station Pty Ltd - Report for the year 1996-97
- Maldon Hospital and Community Care - Report for the year 1996-97
- Manangatang and District Hospital - Report for the year 1996-97
- Maryborough District Health Service - Report for the year 1996-97
- Melbourne Port Corporation - Report for the period ended 30 June 1997 (two papers)
- Members of Parliament (Register of Interests) Act 1978 - Summary of Returns June 1997 and Summary of Variations Notified between 22 May and 30 September 1997 - Ordered to be printed
- Metropolitan Fire Brigades Board - Report for the year 1996-97
- McIvor Health and Community Services - Report for the year 1996-97
- National Parks Act 1975 - Notices of Consent of the Minister for Conservation and Land Management to the renewal of exploration licences in relation to Chiltern Box-Ironbark National Park
- Overseas Projects Corporation of Victoria - Report for the year 1996-97
- Parliamentary Committees Act 1968 - Response of the Treasurer on action taken with respect to the recommendations made by the Public Accounts and Estimates Committee's Report on the 1996-97 Budget Estimates and 1995-96 Budget Outcomes
- Parliamentary Contributory Superannuation Fund - Report for the year 1996-97
- Patriotic Funds Council - Report for the year 1996
- Planning and Environment Act 1987 - Amendment No. 106 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan
- Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
- All Planning Schemes - No. S68
  - Bairnsdale (Shire) Planning Scheme - No. L62
  - Boroondara Planning Scheme - No. L36
  - Darebin Planning Scheme - No. L42
  - Flinders Planning Scheme - No. L160
  - Greater Bendigo Planning Scheme - No. L51
  - Greater Geelong Planning Scheme - Nos. R178, R180 Part 1
  - Melbourne Planning Scheme - Nos. L284, L286, L287
  - Melton Planning Scheme - No. L75 Part 1

- Moreland Planning Scheme - No. L40  
Pakenham Planning Scheme - No. L140  
Phillip Island Planning Scheme - No. L72  
Port of Melbourne Planning Scheme - No. L26  
Port Phillip Planning Scheme - No. L40  
Ripon Planning Scheme - No. L15  
Surf Coast Planning Scheme - No. R29 Part 2  
Swan Hill City Planning Scheme - No. L24  
Victoria Planning Provisions - Amendment V3  
Whitehorse Planning Scheme - No. L26
- Police Review Commission - Report for the year 1996-97
- PowerNet - Report for the year 1996-97
- Premier and Cabinet Department - Report for the year 1996-97
- Project Development and Construction Management Act 1994 - Orders in Council under sections 6 and 8 respectively and Statement under section 9 of reasons for making a Nomination Order
- Public Service Commissioner - Report for the year 1996-97 (two papers)
- Queen Victoria Women's Centre Trust - Report for the year 1996-97
- Rural Finance Corporation - Report for the year 1996-97
- Stamps Act 1958 - Report of exemptions and partial exemptions and refunds made pursuant to section 137R for the year 1996-97
- State Trustees Limited - Report for the year 1996-97
- Statutory Rules under the following Acts:
- Intellectually Disabled Persons' Services Act 1986 - S.R. No. 106
  - Tobacco Act 1987 - S.R. No. 105
- Swan Hill District Hospital - Report for the year 1996-97
- Transport Accident Commission - Report for the year 1996-97
- Tricontinental Holdings Limited - Report for the year 1996
- Victoria Legal Aid - Report for the year 1996-97
- Victorian Broiler Industry Negotiation Committee - Report for the year 1996-97
- Victorian Channels Authority - Report for the year 1996-97
- Victorian Dairy Industry Authority - Report for the year 1996-97 (2 papers)
- Victorian Electoral Commission - Report for the year 1996-97
- Victorian Financial Institutions Commission - Report for the year 1996-97
- Victorian Institute of Forensic Medicine - Report for the year 1996-97
- Victorian Managed Insurance Authority - Report for the period ended 30 June 1997
- Victorian Meat Authority - Report for the year 1996-97
- Victorian Relief Committee - Report for the year 1996-97
- Wangaratta District Base Hospital - Report for the year 1996-97
- Western Highlands Health Service - Report for the year 1996-97
- Wodonga District Hospital - Report for the year 1996-97
- Wycheproof and District Health Service - Report for the year 1996-97

Young Farmers' Finance Council - Report for the year 1996-97.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Gaming Acts (Further Amendment) Act 1997 - Section 9 on 1 November 1997 (*Gazette No. G42, 23 October 1997*)

Mineral Resources Development Act 1990 - Section 126(5) on 1 November 1997 (*Gazette No. G42, 23 October 1997*).

- 7 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

On 21 October 1997

Construction Industry Long Service Leave Bill  
 Drugs, Poisons And Controlled Substances (Amendment) Bill  
 Electricity Industry (Further Miscellaneous Amendment) Bill  
 Melbourne and Olympic Parks (Amendment) Bill

On 28 October 1997

Associations Incorporation (Amendment) Bill  
 Veterinary Practice Bill.

- 8 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Planning and Environment (Amendment) Bill  
 Unclaimed Moneys (Amendment) Bill.

- 9 **ANNUAL FINANCIAL STATEMENTS 1996-97** - Motion made, by leave, and question - That this House authorizes and requires Mr Speaker to permit forthwith the Honourable the Treasurer to make a statement, not exceeding ten minutes, followed by a statement of up to ten minutes from a Member of the Opposition, on the Annual Financial Statement for the year 1996-97 (*Mr Stockdale*) - put and agreed to.

- 10 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 p.m., Thursday, 30 October 1997:

Mental Health (Victorian Institute of Forensic Mental Health) Bill  
 Crimes (Amendment) Bill  
 Wills Bill  
 Law and Justice Legislation (Further Amendment) Bill  
 Transport Acts (Amendment) Bill  
 State Taxation (Amendment) Bill

(*Mr Gude*) - put and agreed to.

- 11 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 1 to 5 inclusive, be postponed until later this day.

- 12 **TRANSPORT ACTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 **MENTAL HEALTH (VICTORIAN INSTITUTE OF FORENSIC MENTAL HEALTH) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.  
Pursuant to Sessional Orders, Dr Napthine announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment circulated.  
Debate resumed on question - That this Bill be now read a second time.  
Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read a third time.  
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 14 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Dr Napthine*) - put and agreed to.
- 15 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 10.59 p.m., adjourned until tomorrow.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 69 - Wednesday, 29 October 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PAPERS** -  
**PARLIAMENTARY DEPARTMENTS' REPORTS** - Motion made, by leave, and question - That there be presented to this House a copy of the Reports of the Department of the Legislative Assembly, Department of the Parliament Library, Department of the Reporting Staff of the Victorian Parliamentary Debates and the Department of Parliamentary Services for the year 1996-97 (*Mr McGrath, Warrnambool*) - put and agreed to.  
The said reports were presented by Mr McGrath (*Warrnambool*) and severally ordered to lie on the Table.
- PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:  
Bendigo Health Care Group - Report for the year 1996-97

Cinemedia (Film Victoria and State Film Centre of Victoria) - Report for the year 1996-97  
 Donald District Hospital and District Nursing Home - Report for the year 1996-97  
 Echuca Regional Health - Report for the year 1996-97  
 Interpretation of Legislation Act 1984 - Notice under section 32(3)(a)(iii) in relation to Statutory Rule No. 98/1997  
 Kyneton District Health Service - Report for the year 1996-97  
 Mallee Track Health and Community Service - Report for the period ended 30 June 1997  
 Mildura Base Hospital - Report for the year 1996-97 (two papers)  
 Mt Alexander Hospital - Report for the year 1996-97  
 Ouyen and District Hospital - Report for the period ended 31 December 1996  
 Robinvale District Hospital and Health Services - Report for the year 1996-97  
 Rochester and Elmore District Health Service - Report for the year 1996-97  
 Tourism Victoria - Report for the year 1996-97  
 Treasury Corporation of Victoria - Report for the year 1996-97  
 Victorian Power Exchange - Report for the year 1996-97.

- 3 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Crimes (Mental Impairment and Unfitness to be Tried) Bill with amendments.

Ordered - That the said amendments be printed and taken into consideration by leave later this day.

- 4 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Commonwealth Powers (Family Law-Children) (Amendment) Bill  
 Financial Institutions Legislation (Amendment) Bill  
 Education (Work Experience) Bill  
 Forests (Dunstan Agreement) (Amendment) Bill  
 Road Transport (Dangerous Goods) (Amendment) Bill.

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

- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).

*Member named and suspended* - The Honourable Member for Broadmeadows (*Mr Brumby*) having been named by Mr Speaker for disregarding the authority of the Chair -

Motion made and question - That the Honourable Member for Broadmeadows (*Mr Brumby*) be suspended from the service of the House (*Mr Gude*) - put.

The House divided.

Mr Speaker advised that as the two tellers for the Noes refused to act, he directed their names be recorded for the Noes in the Votes and Proceedings.

AYES, 56

Mr Andrighetto	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Ashley	Mr Lupton	Mr Phillips	Mr Traynor
Mr Clark	Mr McArthur	Mr Plowman	Mr Treasure
Mr Cooper	Ms McCall	(Benambra)	Mrs Wade
Ms Davies	Mrs McGill	Mr Reynolds	Mr Wells
Dr Dean	Mr McGrath	Mr Richardson	
Mr Dixon	(Warrnambool)	Mr Rowe	
Mr Doyle	Mr McGrath	Mr Ryan	
Mr Elder	(Wimmera)	Mr Savage	
Mrs Elliott	Mr McNamara	Mrs Shardey	
Mr Finn	Mr Maclellan	Mr Smith	
Mr Gude	(Pakenham)	(Glen Waverley)	
Mrs Henderson	Mr Maughan	Mr Smith	
Mr Jasper	Dr Napthine	(Polwarth)	Tellers
Mr Jenkins	Mr Paterson	Mr Spry	Ms Burke
Mr John	Mr Perrin	Mr Steggall	Mr Kilgour
Mr Kennett	Mr Perton	Mr Stockdale	Mr McLellan
Mr Lean	Mr Pescott	Mrs Tehan	(Frankston East)

NOES, 2

Mr Batchelor  
Mr Hulls

And so it was resolved in the affirmative.

*Period of suspension* - Because of the gross disorder of the Leader of the Opposition, Mr Speaker sought suspension for one sitting week -

Motion made and question - That the Honourable Member for Broadmeadows (*Mr Brumby*) be suspended from the service of the House for one sitting week (*Mr Gude*) - put.

The House divided.

AYES, 54

Mr Andrighetto	Mr Leigh	Mr Perrin	Mrs Tehan
Mr Ashley	Mr Lupton	Mr Perton	Mr Thompson
Mr Clark	Mr McArthur	Mr Pescott	Mr Traynor
Mr Cooper	Ms McCall	Mrs Peulich	Mr Treasure
Dr Dean	Mrs McGill	Mr Phillips	Mrs Wade
Mr Dixon	Mr McGrath	Mr Plowman	Mr Wells
Mr Doyle	(Warrnambool)	(Benambra)	
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(Wimmera)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(Frankston East)	Mr Ryan	
Mrs Henderson	Mr McNamara	Mrs Shardey	
Mr Jasper	Mr MacLellan	Mr Smith	Tellers
Mr Jenkins	(Pakenham)	(Polwarth)	Ms Burke
Mr John	Mr Maughan	Mr Spry	Mr Kilgour
Mr Kennett	Dr Napthine	Mr Steggall	Mr Smith
Mr Lean	Mr Paterson	Mr Stockdale	(Glen Waverley)

NOES, 4

Mr Batchelor	Tellers
Mr Hulls	Ms Davies
	Mr Savage

And so it was resolved in the affirmative.

*Member named and suspended* - The Honourable Member for Sunshine (*Mr Baker*) having been named by Mr Speaker for gross insubordination, disobedience and disregard for the Chair -

Motion made and question - That the Honourable Member for Sunshine (*Mr Baker*) be suspended from the service of the House for a period of one sitting week (*Mr Gude*) - put.

The House divided.

Mr Speaker advised that as the two tellers for the Noes refused to act, he directed their names be recorded for the Noes in the Votes and Proceedings.

## AYES, 56

Mr Andrighetto	Mr Lean	Mr Paterson	Mr Steggall
Mr Ashley	Mr Leigh	Mr Perrin	Mr Stockdale
Mr Clark	Mr Lupton	Mr Perton	Mrs Tehan
Mr Cooper	Mr McArthur	Mr Pescott	Mr Thompson
Ms Davies	Ms McCall	Mrs Peulich	Mr Traynor
Dr Dean	Mrs McGill	Mr Phillips	Mr Treasure
Mr Dixon	Mr McGrath	Mr Plowman	Mrs Wade
Mr Doyle	(Warrnambool)	(Benambra)	Mr Wells
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(Wimmera)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(Frankston East)	Mr Ryan	
Mrs Henderson	Mr McNamara	Mr Savage	<i>Tellers</i>
Mr Jasper	Mr Maclellan	Mrs Shardey	Ms Burke
Mr Jenkins	(Pakenham)	Mr Smith	Mr Kilgour
Mr John	Mr Maughan	(Polwarth)	Mr Smith
Mr Kennett	Dr Napthine	Mr Spry	(Glen Waverley)

## NOES, 2

Mr Batchelor  
Mr Hulls

And so it was resolved in the affirmative.

- 7 **AUDIT (AMENDMENT) BILL** - Mr Kennett, after debate obtained leave, with Mr McNamara, to bring in a Bill "*to amend the Audit Act 1994 and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **EDUCATION (PRESCHOOLS) BILL** - Mr Gude, after debate obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "*to amend the Education Act 1958 with respect to the provision of preschool programs and to make related amendments to Part XIA of the Health Act 1958 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **ALPINE RESORTS (MANAGEMENT) BILL** - Mrs Tehan, after debate obtained leave, with Mr Gude, to bring in a Bill "*to make provision for the establishment of an Alpine Resorts Coordinating Council and six Alpine Resort Management Boards, to make provision for the management of alpine resorts, to amend the Alpine Resorts Act 1983, to make related amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **ST ANDREW'S FOUNDATION BILL** - Mrs Wade, after debate obtained leave, with Mr Gude, to bring in a Bill "*to provide for the transfer of certain charitable donations and bequests to the trustees of The St Andrew's Foundation and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **RESIDENTIAL TENANCIES BILL** - Mrs Henderson, after debate obtained leave, with Mr Gude, to bring in a Bill "*to re-enact with amendments the law relating to residential tenancies, rooming houses and caravan parks, to provide for a Residential Tenancies Tribunal and a Residential Tenancies Bond Authority, to repeal the Residential Tenancies Act 1980, the Caravan Parks and*

*Movable Dwellings Act 1988 and the Rooming Houses Act 1990 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 12 **GAS SAFETY BILL** - Mr Stockdale, after debate obtained leave, with Mr Gude, to bring in a Bill "*to provide for the safe conveyance, sale, supply, measurement, control and use of gas, to amend the Gas Industry Act 1994 and other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  
- 13 **RAIL CORPORATIONS (AMENDMENT) BILL** - Mr Stockdale, after debate obtained leave, with Mr Gude, to bring in a Bill "*to reform the public transport system in Victoria, to amend the Rail Corporations Act 1996, the Transport Act 1983 and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  
- 14 **WATER ACTS (FURTHER AMENDMENT) BILL** - Mr Stockdale, after debate obtained leave, with Mr Gude, to bring in a Bill "*to amend the Melbourne and Metropolitan Board of Works Act 1958, the Water Act 1989, the Water Industry Act 1994, the Food Act 1984, the Health Act 1958, the Health (Fluoridation) Act 1973 and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  
- 15 **GAS INDUSTRY (FURTHER AMENDMENT) BILL** - Mr Stockdale, after debate obtained leave, with Mr Gude, to bring in a Bill "*to amend the Gas Industry Act 1994 and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  
- 16 **HEALTH SERVICES (ST ANDREW'S HOSPITAL) BILL** - Dr Napthine, after debate obtained leave, with Mr Gude, to bring in a Bill "*to repeal the St Andrew's Hospital Act 1978 and the St Andrew's Hospital (Guarantee) Act 1978, to amend the Health Services Act 1988 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
  
- 17 **WILLS BILL** - Order read for resuming debate on question - That this Bill be now read a second time.  
 Pursuant to Sessional Orders, Mrs Tehan announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.  
 Debate resumed on question - That this Bill be now read a second time.  
 Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.  
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
  
- 18 **LAW AND JUSTICE LEGISLATION (FURTHER AMENDMENT) BILL** - 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, read a third time forthwith.  
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
  
- 19 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Ports Services (Amendment) Bill without amendment.

- 20 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 3 be postponed until later this day.
- 21 **CRIMES (AMENDMENT) BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to - (a) enable the House to separately consider - (i) Division 1 of Part 2 of the Bill; and (ii) the clauses dealing with the new forensic sample regime in Part 4; and (b) include proper mechanisms to annually monitor and report to Parliament the impact of the Bill on a victim's court experience; (c) include definition of "substantial relevance" in relation to prior sexual history; (d) allow for initiatives to preclude the serving of a subpoena for victim's counselling notes and files; and (e) allow appropriate consultation procedures on the impact of people's rights as a result of increasing police powers" (*Mr Hulls*).

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 22 **ADJOURNMENT** - Mr Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.11 p.m.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 70 - Thursday, 30 October 1997

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

2 **PAPERS** -

**LAW REFORM COMMITTEE** - Mr Andrighetto, brought up a Report from the Law Reform Committee upon the Inquiry into the Regulatory Efficiency Legislation together with Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendices to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Architects Registration Board - Report for the year 1996-97

Barwon Region Water Authority - Report for the year 1996-97

Building Control Commission - Report for the year 1996-97

Central Gippsland Region Water Authority - Report for the year 1996-97

Central Highlands Region Water Authority - Report for the year 1996-97

Coliban Region Water Authority - Report for the year 1996-97

Dental Health Services Victoria - Report for the year 1996-97

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- Docklands Authority - Report for the year 1996-97
- East Gippsland Region Water Authority - Report for the year 1996-97
- First Mildura Irrigation Trust - Report for the year 1996-97
- Gippsland and Southern Rural Water Authority - Report for the year 1996-97
- Goulburn-Murray Rural Water Authority - Report for the year 1996-97
- Goulburn Valley Region Water Authority - Report for the year 1996-97
- Grampians Region Water Authority - Report for the year 1996-97
- Heritage Council Victoria - Report for the year 1996-97
- Hesse Rural Health Service - Report for the year 1996-97
- Heywood and District Memorial Hospital - Report for the year 1996-97
- Infrastructure Department - Report for the year 1996-97
- Inner and Eastern Health Care Network - Report for the year 1996-97
- Kiewa Murray Region Water Authority - Report for the year 1996-97
- Lower Murray Region Water Authority - Report for the year 1996-97
- Marine Board of Victoria - Report for the year 1996-97
- Melbourne City Link Authority - Report for the year 1996-97
- Melbourne Convention and Exhibition Trust - Report for the year 1996-97
- Melbourne Water Corporation - Report for the year 1996-97
- Mental Health Review Board and Psychosurgery Review Board - Report for the year 1996-97
- Mid-Goulburn Regional Water Board - Report for the year 1996-97
- Murray-Darling Basin Commission - Report for the year 1996-97
- North Eastern Health Care Network - Report for the year 1996-97 (two papers)
- Otway Region Water Authority - Report for the year 1996-97
- Ovens Region Water Authority - Report for the year 1996-97
- Parliament House Completion Authority - Report for the period ended 22 April 1997
- Peninsula Health Care Network - Report for the year 1996-97
- Plumbers Gasfitters and Drainers Registration Board - Report for the period ended 23 March 1997
- Port Fairy Hospital - Report for the year 1996-97
- Portland and District Hospital - Report for the year 1996-97 (two pages)
- Portland Coast Region Water Authority - Report for the year 1996-97
- Port of Geelong Authority - Report for the year 1996-97
- Port of Melbourne Authority - Report for the year 1996-97
- Port of Portland Authority - Report for the year 1996-97
- Public Transport Corporation - Report for the year 1996-97
- Roads Corporation (VicRoads) - Report for the year 1996-97
- Southern Health Care Network - Report for the year 1996-97
- Southern Hydro Limited - Report for the year 1996-97

South Gippsland Region Water Authority - Report for the year 1996-97

South West Water Authority - Report for the year 1996-97

State Development Department - Report for the year 1996-97

State Library of Victoria - Report for the year 1996-97

Statutory Rules under the following Acts -

Freedom of Information Act 1982 - S.R. No. 107

Gaming Machine Control Act 1991 - S.R. No. 109

Health Act 1958 - S.R. No. 110

Lotteries Gaming and Betting Act 1966 - S.R. No. 108

Psychologists Registration Act 1987 - S.R. No. 111

Public Sector Management Act 1992 - S.R. No. 112

Subordinate Legislation Act 1994 -

Minister's exemption certificate in relation to Statutory Rule No. 111

Ministers' exemption certificates in relation to Statutory Rule Nos. 107, 108, 110, 111, 112

Sunraysia Rural Water Authority - Report for the year 1996-97

Warrnambool and District Base Hospital - Report for the year 1996-97

Westernport Region Water Authority - Report for the year 1996-97 (two papers)

Western Region Water Authority - Report for the year 1996-97

Wimmera Mallee Rural Water Authority - Report for the year 1996-97

Women's and Children's Health Care Network - Report for the year 1996-97.

- 3 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 11 November 1997 (*Mrs Tehan*) - put and agreed to.
- 4 **ELECTRICITY SAFETY BILL** - Mr Stockdale, after debate, obtained leave with Mrs Tehan, to bring in a Bill "*relating to the safety of electricity supply and use, the efficiency of electrical equipment, to repeal the Electric Light and Power Act 1958, to amend certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 5 **ACCIDENT COMPENSATION (MISCELLANEOUS AMENDMENT) BILL** - Motion made and question - That Mr Stockdale have leave, with Mrs Tehan, to bring in a Bill "*to amend the Accident Compensation Act 1985, the Accident Compensation (WorkCover Insurance) Act 1993, the Dangerous Goods Act 1985, the Equipment (Public Safety) Act 1994, the Magistrates' Court Act 1989, the Occupational Health and Safety Act 1985 and the Workers Compensation Act 1958 and for other purposes*" - after debate, put.

The House divided.

AYES, 41

Mr Andrighetto	Mr Lupton	Mr Perton	Mr Traynor
Mr Clark	Mr McArthur	Mr Pescott	Mr Treasure
Mr Cooper	Ms McCall	Mr Plowman	Mrs Wade
Dr Dean	Mrs McGill	(Benambra)	
Mr Dixon	Mr McGrath	Mr Reynolds	
Mr Doyle	(Warrnambool)	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	(Frankston East)	Mrs Shardey	
Mr Jasper	Mr Maclellan	Mr Spry	Tellers
Mr Jenkins	(Pakenham)	Mr Steggall	Ms Burke
Mr John	Mr Maughan	Mr Stockdale	Mr Kilgour
Mr Lean	Dr Napthine	Mrs Tehan	Mr Smith
Mr Leigh	Mr Paterson	Mr Thompson	(Glen Waverley)

NOES, 27

Mr Andrianopoulos	Ms Garbutt	Mr Loney	
Mr Batchelor	Ms Gillett	Mr Micallef	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	
Mr Carli	Mr Hulls	Mr Savage	Tellers
Mr Cole	Ms Kosky	Mr Seitz	Mr Cameron
Ms Davies	Mr Leighton	Mr Sheehan	Mr Langdon
Mr Dollis	Mr Lim	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a first time, ordered to be printed and read a second time tomorrow.

- 6 **CONSTITUTION (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mrs Tehan, to bring in a Bill "to amend the *Constitution Act 1975 with respect to the publication, transmission and broadcasting of Parliamentary proceedings and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 **LAND (RESERVATIONS AND OTHER MATTERS) BILL** - Mrs Tehan, after debate, obtained leave with Dr Napthine, to bring in a Bill "to provide for the revocation of reservations and Crown grants over various parcels of land, to repeal the *Burrumbeet (Russell Reserve) Land Act 1982, to make consequential amendments to the Australian Grands Prix Act 1994 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 9 **EDUCATION (PRESCHOOLS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).

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

Ordered - That the debate be adjourned until Thursday, 13 November 1997.

- 10 **ALPINE RESORTS (MANAGEMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).  
 Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 13 November 1997.
- 11 **ST ANDREW'S FOUNDATION BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).  
 Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 13 November 1997.
- 12 **RESIDENTIAL TENANCIES BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).  
 Motion made and question - That the debate be now adjourned (*Ms Kosky*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 13 November 1997.
- 13 **GAS SAFETY BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).  
 Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 13 November 1997.
- 14 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 7 and 8, be postponed until later this day.
- 15 **GAS INDUSTRY (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).  
 Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 13 November 1997.
- 16 **HEALTH SERVICES (ST ANDREW'S HOSPITAL) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Naphtine*).  
 Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.  
 Ordered - That the debate be adjourned until Thursday, 13 November 1997.
- 17 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 11, be postponed until later this day.
- 18 **STATE TAXATION (AMENDMENT) BILL** - 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, read a third time forthwith.  
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 19 **CRIMES (AMENDMENT) BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to - (a) enable the House to separately consider - (i) Division 1 of Part 2 of the Bill; and (ii) the clauses dealing with the new forensic sample regime in Part 4; and (b) include

proper mechanisms to annually monitor and report to Parliament the impact of the Bill on a victim's court experience; (c) include definition of "substantial relevance" in relation to prior sexual history; (d) allow for initiatives to preclude the serving of a subpoena for victim's counselling notes and files; and (e) allow appropriate consultation procedures on the impact of people's rights as a result of increasing police powers"; debate resumed.

*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

20 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 21 **CRIMES (AMENDMENT) BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to - (a) enable the House to separately consider - (i) Division 1 of Part 2 of the Bill; and (ii) the clauses dealing with the new forensic sample regime in Part 4; and (b) include proper mechanisms to annually monitor and report to Parliament the impact of the Bill on a victim's court experience; (c) include definition of "substantial relevance" in relation to prior sexual history; (d) allow for initiatives to preclude the serving of a subpoena for victim's counselling notes and files; and (e) allow appropriate consultation procedures on the impact of people's rights as a result of increasing police powers".

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

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

- 22 **AUDIT (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Kennett*).

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

Motion made and question proposed - That the debate be adjourned for two weeks (*Mr Kennett*).

Amendment proposed - That the words "two weeks" be omitted with the view of inserting in place thereof the words "ten months" (*Mr Bracks*) - and, after debate -

*Allocation of time - Mr Acting Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of the House on Tuesday, 28 October 1997 had expired.*

- 23 **CRIMES (AMENDMENT) BILL** - 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 place thereof the words "this Bill be withdrawn and redrafted to - (a) enable the House to separately consider - (i) Division 1 of Part 2 of the Bill; and (ii) the clauses dealing with the new forensic sample regime in Part 4; and (b) include proper mechanisms to annually monitor and report to Parliament the impact of the Bill on a victim's court experience; (c) include definition of "substantial relevance" in relation to prior sexual history; (d) allow for initiatives to preclude the serving of a subpoena for victim's counselling notes and files; and (e) allow appropriate consultation procedures on the impact of people's rights as a result of increasing police powers".

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

The House divided.

AYES, 50

Mr Andrighetto	Mr Leigh	Mr Perrin	Mr Stockdale
Mr Ashley	Mr Lupton	Mr Perton	Mrs Tehan
Mr Clark	Mr McArthur	Mrs Peulich	Mr Thompson
Mr Coleman	Ms McCall	Mr Phillips	Mr Traynor
Dr Dean	Mrs McGill	Mr Plowman	Mr Treasure
Mr Dixon	Mr McGrath	(Benambra)	Mrs Wade
Mr Doyle	(Wimmera)	Mr Reynolds	Mr Wells
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	(Frankston East)	Mr Ryan	
Mr Gude	Mr McNamara	Mr Savage	
Mrs Henderson	Mr Maclellan	Mrs Shardey	<i>Tellers</i>
Mr Jasper	(Pakenham)	Mr Smith	Ms Burke
Mr Jenkins	Mr Maughan	(Polwarth)	Mr Kilgour
Mr John	Dr Naphine	Mr Spry	Mr Smith
Mr Lean	Mr Paterson	Mr Steggall	(Glen Waverley)

NOES, 27

Mr Andrianopoulos	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	
Mrs Campbell	Mr Haermeyer	Mr Mildenhall	
Mr Carli	Mr Hamilton	Mr Pandazopoulos	
Mr Cole	Mr Hulls	Mr Seitz	<i>Tellers</i>
Mr Cunningham	Ms Kosky	Mr Sheehan	Mr Cameron
Ms Davies	Mr Leighton	Mr Thwaites	Mr Langdon
Mr Dollis	Mr Lim	Mrs Wilson	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Bill read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 24 **AUDIT (AMENDMENT) BILL** - Debate resumed on question - That the debate be adjourned for two weeks - *and on the amendment* - That the words "two weeks" be omitted with the view of inserting in place thereof the words "ten months".

Motion made and question - That the question be now put (*Mr Smith, Glen Waverley*) - put.

The House divided.

AYES, 50

Mr Andrighetto	Mr Lean	Mr Paterson	Mr Stockdale
Mr Ashley	Mr Leigh	Mr Perrin	Mrs Tehan
Mr Clark	Mr Lupton	Mr Pescott	Mr Thompson
Mr Coleman	Mr McArthur	Mrs Peulich	Mr Traynor
Mr Cooper	Ms McCall	Mr Phillips	Mr Treasure
Dr Dean	Mrs McGill	Mr Plowman	Mrs Wade
Mr Dixon	Mr McGrath	(Benambra)	Mr Wells
Mr Doyle	(Wimmera)	Mr Reynolds	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	(Frankston East)	Mr Ryan	
Mrs Henderson	Mr McNamara	Mrs Shardey	Tellers
Mr Jasper	Mr Maclellan	Mr Smith	Ms Burke
Mr Jenkins	(Pakenham)	(Polwarth)	Mr Kilgour
Mr John	Mr Maughan	Mr Spry	Mr Smith
Mr Kennett	Dr Napthine	Mr Steggall	(Glen Waverley)

NOES, 28

Mr Andrianopoulos	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Ms Gillett	Mr Micallef	
Mrs Campbell	Mr Haermeyer	Mr Mildenhall	
Mr Carli	Mr Hamilton	Mr Pandazopoulos	
Mr Cole	Mr Hulls	Mr Savage	Tellers
Mr Cunningham	Ms Kosky	Mr Seitz	Mr Cameron
Ms Davies	Mr Leighton	Mr Sheehan	Mr Langdon
Mr Dollis	Mr Lim	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

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

The House divided.

AYES, 51

Mr Andrighetto	Mr Lean	Mr Paterson	Mr Steggall
Mr Ashley	Mr Leigh	Mr Perrin	Mr Stockdale
Mr Clark	Mr Lupton	Mr Perton	Mrs Tehan
Mr Coleman	Mr McArthur	Mr Pescott	Mr Thompson
Mr Cooper	Ms McCall	Mrs Peulich	Mr Traynor
Dr Dean	Mrs McGill	Mr Phillips	Mr Treasure
Mr Dixon	Mr McGrath	Mr Plowman	Mrs Wade
Mr Doyle	(Wimmera)	(Benambra)	Mr Wells
Mrs Elliott	Mr McLellan	Mr Reynolds	
Mr Finn	(Frankston East)	Mr Rowe	
Mrs Henderson	Mr McNamara	Mr Ryan	Tellers
Mr Jasper	Mr Maclellan	Mrs Shardey	Ms Burke
Mr Jenkins	(Pakenham)	Mr Smith	Mr Kilgour
Mr John	Mr Maughan	(Polwarth)	Mr Smith
Mr Kennett	Dr Napthine	Mr Spry	(Glen Waverley)

## NOES, 28

Mr Andrianopoulos	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Ms Gillett	Mr Micallef	
Mrs Campbell	Mr Haermeyer	Mr Mildenhall	
Mr Carli	Mr Hamilton	Mr Pandazopoulos	
Mr Cole	Mr Hulls	Mr Savage	<i>Tellers</i>
Mr Cunningham	Ms Kosky	Mr Seitz	Mr Cameron
Ms Davies	Mr Leighton	Mr Sheehan	Mr Langdon
Mr Dollis	Mr Lim	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Question - That the debate be adjourned until Thursday, 13 November 1997 - put and agreed to.

- 25 **RAIL CORPORATIONS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).

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

Ordered - That the debate be adjourned until Thursday, 13 November 1997.

- 26 **WATER ACTS (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).

*Mr Stockdale made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*

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

Ordered - That the debate be adjourned until Thursday, 13 November 1997.

- 27 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Stockdale*) - put and agreed to.

- 28 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.

And the House, at 6.01 p.m., adjourned until Tuesday, 11 November 1997.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 71, 72 and 73

**No. 71 - Tuesday, 11 November 1997**

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **RESIGNATION OF SEAT** - Mr Speaker announced that he had, this day, received the following letter:

Armistice Day, 1997

The Hon S. J. Plowman MP,  
Speaker,  
Legislative Assembly,  
Parliament House,  
MELBOURNE 3000.

Dear Mr Speaker

I resign my seat in the Parliament as Member for Mitcham, with effect from 2 p.m. today.

Principal among my reasons is the Government's intention to alter the role and function of the Auditor-General. Having watched the Government's position unfold, I have been uncomfortable from the beginning. I expected common sense to prevail. It has not. In my considered view, the Government's proposals compromise the system of checks and balances which are at the core of our system of government. To me, they run fundamentally counter to the public interest.

I was elected by the people of Mitcham both as a Liberal and as a member of this Government. If, after lengthy deliberation, I cannot support the Government's legislation, my options resolve to one. It has been a long time since I have found the avenues for serious debate within the Liberal Party satisfactory. Yet I could not bring myself to vote with the Labor Party. Accordingly, I must surrender my seat in the Parliament.

While I regret the cost and inconvenience caused by a by-election, I see it as a further part of my protest in that it will be a plebiscite on the Auditor-General legislation. The issue should not be allowed to die.

In leaving the Parliament, I wish all Honourable Members well in successfully addressing the difficult challenges of our times, and in creating a better Victoria for all Victorians, the goal we all share.

Yours sincerely,

ROGER PESCOFF MP

3 **QUESTIONS** - (Pursuant to Standing Order No. 124).

4 **PAPERS** -

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 10 of 1997 on the -

Health Services (St Andrew's Hospital) Bill  
 St Andrew's Foundation Bill  
 Residential Tenancies Bill  
 Education (Preschools) Bill  
 Gas Industry (Further Amendment) Bill  
 Gas Safety Bill  
 Alpine Resorts (Management) Bill  
 Rail Corporations (Amendment) Bill  
 Water Acts (Further Amendment) Bill  
 Audit (Amendment) Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Adult, Community and Further Education Board - Report for the year 1996-97

Adult Parole Board - Report for the year 1996-97

Agriculture Victoria Services Pty. Ltd. - Report for the year 1996-97

Ambulance Service Victoria - Metropolitan Region - Report for the year 1996-97

Ambulance Service Victoria - North Eastern Region - Report for the year 1996-97

Ambulance Service Victoria - North Western Region - Report for the year 1996-97

Ambulance Service Victoria - South Western Region - Report for the year 1996-97

Ambulance Service Victoria - Western Region - Report for the year 1996-97

Auditor-General -

Special Report No. 50 - Metropolitan Ambulance Service: Fulfilling a vital community need - Ordered to be printed

Special Report No. 51 - Victorian Rural Ambulance Services: Fulfilling a vital community need - Ordered to be printed

Board of Studies - Report for the year 1996-97

Casterton Memorial Hospital - Report for the year 1996-97

Central Wellington Health Service - Report for the year 1996-97

Chief Electrical Inspector - Report of the Office for the year 1996-97

Colac Community Health Services - Report for the year 1996-97 (two papers)

Country Fire Authority - Report for the year 1996-97

Crown Land (Reserves) Act 1978 - Section 17DA Order granting, under Section 17D, a lease in the Albert Park Reserve

Education Department - Report for the year 1996-97

Financial Management Act 1994 - Reports of the Minister for Health that he had - (a) received the 1996-97 Annual Reports of the -

Coleraine District Hospital and Aged Care Services  
Lorne Community Hospital  
Omeo District Hospital  
Otway Health and Community Service  
Penshurst and District Memorial Hospital  
Terang and Mortlake Health Service  
Timboon and District Hospital and Community Health Centre  
Upper Murray Health and Community Services  
Yarram and District Health Service

and (b) not received the 1996-97 Annual Reports of the -

Alpine Health Group  
Bright District Hospital and Health Services  
Myrtleford and District War Memorial Hospital  
Tawonga and District General Hospital

Geelong Hospital - Report for the year 1996-97 (two papers)

Geelong Performing Arts Centre Trust - Report for the year 1996-97

Generation Victoria (Ecogen Energy) - Report for the year 1996-97

Grace McKellar Centre - Report for the year 1996-97

Hamilton Base Hospital - Report for the year 1996-97

Healthit Limited - Report for the year 1996-97

Human Services - Report for the year 1996-97

Infertility (Medical Procedures) Act 1984 - Report for the year 1996-97 by the Secretary, Department of Human Services to the Minister for Health pursuant to S. 22(4)

Justice Department - Report for the year 1996-97, with the following Appendices -

Appendix A: Report of Operations of the Equal Opportunity Commission for the year 1996-97 - Ordered to be printed

Appendix B: Report of Operations of the Guardianship and Administration Board for the year 1996-97

Appendix C: Report of Operations of the Office of the Public Advocate for the year 1996-97 - Ordered to be printed

Kilmore and District Hospital - Report for the year 1996-97

Legal Ombudsman - Report for the period ended 30 June 1997

Legal Practice Board - Report for the period ended 30 June 1997

Local Authorities Superannuation Board - Report for the year 1996-97

Members of Parliament (Register of Interests) Act 1978 - Cumulative Summary of Returns September 1997 - Ordered to be printed

Museum of Victoria - Report for the year 1996-97

National Gallery of Victoria - Report for the year 1996-97

National Parks Advisory Council - Report for the year 1996-97

Natural Resources and Environment Department - Report for the year 1996-97 (two papers)

Nurses Board - Report for the year 1996-97

Pharmacy Board - Report for the year 1996-97

Planning and Environment Act 1987 - Notice of approval of Alpine Resorts Planning Scheme and Notices of approval of amendments to the following Planning Schemes:

- Alexandra Planning Scheme - No. SL5
- All Metropolitan Planning Schemes - No. RL180
- Bright Planning Scheme - No. SL5
- Cranbourne Planning Scheme - No. L213
- Delatite Planning Scheme - No. SL5
- Gannawarra Planning Scheme - No. L2
- Greater Bendigo Planning Scheme - Nos. L61, L63, L65
- Hume Planning Scheme - No. L30
- Kingston Planning Scheme - No. L29
- Knox Planning Scheme - No. L142
- Melbourne Planning Scheme - Nos. L285, RL180
- Melton Planning Scheme - No. L85
- Narracan Planning Scheme - No. SL5
- Port Phillip Planning Scheme - No. L47
- Victoria Planning Provisions - No. V4
- Warrnambool Planning Scheme - No. L24
- Whitehorse Planning Scheme - Nos. L8, L9, L15
- Whittlesea Planning Scheme - No. L142
- Yarra Planning Scheme - No. RL180
- Yarra Ranges Planning Scheme - No. L75

Public Prosecutions - Report of the Director, Committee and Office for the year 1996-97

Queen Elizabeth Centre - Report for the year 1996-97

Regulator-General - Report of the Office for the year 1996-97

Seymour District Memorial Hospital - Report for the year 1996-97

State Training Board - Report for the year 1996-97

Statutory Rules under the following Acts:

- Administration and Probate Act 1958 - S.R. No. 117
- County Court Act 1958 - S.R. Nos. 113, 114
- Environment Protection Act 1970 - S.R. No. 120
- Gaming Machine Control Act 1991 - S.R. No. 121
- Health Act 1958 - S.R. No. 119
- Subordinate Legislation Act 1994 - S.R. No. 115
- Supreme Court Act 1986 - S.R. Nos. 116, 118

Subordinate Legislation Act 1994 -

- Minister's exception certificates in relation to Statutory Rule Nos. 113, 114, 115, 116, 117, 118

- Minister's exemption certificate in relation to Statutory Rule No. 119

Treasury and Finance Department - Report for the year 1996-97

Vicfleet Pty. Ltd. - Financial Statement for the year 1996-97

Victoria Police - Report for the year 1996-97

Victorian Casino and Gaming Authority - Report for the year 1996-97

Victorian Funds Management Corporation - Report for the year 1996-97

Victorian Superannuation Board - Report for the year 1996-97

West Gippsland Healthcare Group - Report for the year 1996-97

Wonthaggi and District Hospital - Report for the year 1996-97.

- 5 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had, on 5 November 1997, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Commonwealth Powers (Family Law-Children) (Amendment) Bill  
 Education (Work Experience) Bill  
 Financial Institutions Legislation (Amendment) Bill  
 Forests (Dunstan Agreement) (Amendment) Bill  
 Port Services (Amendment) Bill  
 Road Transport (Dangerous Goods) (Amendment) Bill.

- 6 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Alpine Resorts (Management) Bill  
 Audit (Amendment) Bill  
 Education (Preschools) Bill  
 Gas Industry (Further Amendment) Bill  
 Gas Safety Bill  
 Health Services (St Andrew's Hospital) Bill  
 Rail Corporations (Amendment) Bill  
 Residential Tenancies Bill  
 Water Acts (Further Amendment) Bill.

- 7 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3) -

(a) Notice of Motion No. 1 - Approval of Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan, Amendment Nos. 105 and 106; and

(b) the Orders of the Day, Government Business, relating to the following bills -

Crimes (Mental Impairment and Unfitness to be Tried) Bill  
 Gaming Acts (Miscellaneous Amendment) Bill  
 Food (Amendment) Bill  
 Podiatrists Registration Bill  
 Planning and Environment (Amendment) Bill  
 Legal Practice (Amendment) Bill  
 Unclaimed Moneys (Amendment) Bill  
 Education (Preschools) Bill  
 Alpine Resorts (Management) Bill

be considered and completed by 4.00 p.m., Thursday, 13 November 1997.

(*Mr Gude*) - put, after debate, and agreed to.

- 8 **AMENDMENTS TO UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN** - Motion made and question - That pursuant to section 46D(1)(c) of the **Planning and Environment Act 1987**, Amendments No. 105 and No. 106 to Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved (*Mr Maclellan, Pakenham*) - after debate, put.

The House divided.

AYES, 53

Mr Andrighetto	Mr Kennett	Mr Perrin	Mr Stockdale
Mr Ashley	Mr Lean	Mr Perton	Mrs Tehan
Mr Clark	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Coleman	Mr McArthur	Mr Phillips	Mr Traynor
Mr Cooper	Ms McCall	Mr Plowman	Mr Treasure
Dr Dean	Mrs McGill	(Benambra)	Mrs Wade
Mr Dixon	Mr McGrath	Mr Reynolds	Mr Wells
Mr Doyle	(Wimmera)	Mr Richardson	
Mr Elder	Mr McLellan	Mr Rowe	
Mrs Elliott	(Frankston East)	Mr Ryan	
Mr Finn	Mr McNamara	Mr Savage	
Mr Gude	Mr Maclellan	Mrs Shardey	<i>Tellers</i>
Mrs Henderson	(Pakenham)	Mr Smith	Ms Burke
Mr Jasper	Mr Maughan	(Polwarth)	Mr Kilgour
Mr Jenkins	Dr Napthine	Mr Spry	Mr Smith
Mr John	Mr Paterson	Mr Steggall	(Glen Waverley)

NOES, 24

Mr Andrianopoulos	Mr Dollis	Mr Leighton	
Mr Batchelor	Ms Garbutt	Mr Lim	
Mr Bracks	Ms Gillett	Mr Micallef	
Mrs Campbell	Mr Haermeyer	Mr Mildenhall	<i>Tellers</i>
Mr Carli	Mr Hamilton	Mr Pandazopoulos	Mr Cameron
Mr Cunningham	Mr Hulls	Mr Seitz	Mr Langdon
Ms Davies	Ms Kosky	Mrs Wilson	Mrs Maddigan

And so it was resolved in the affirmative.

- 9 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) BILL** - Order read for the consideration of the amendments made by the Legislative Council.  
 And the said amendments were read a second time and, after debate, agreed to by the House with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.  
 Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 10 **GAMING ACTS (MISCELLANEOUS AMENDMENT) BILL** - 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 Burke*) - put and agreed to.  
 Ordered - That the debate be adjourned until later this day.
- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Sentencing (Amendment) Bill without amendment.
- 12 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

**13 PODIATRISTS REGISTRATION BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Dr Napthine announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Pursuant to Sessional Orders, Mr Thwaites announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment circulated.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

**14 PLANNING AND ENVIRONMENT (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Gude announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

The House divided.

AYES, 48

Mr Andrighetto  
Mr Ashley  
Mr Clark  
Mr Coleman  
Mr Cooper  
Dr Dean  
Mr Dixon  
Mr Doyle  
Mr Elder  
Mrs Elliott  
Mr Gude  
Mr Jasper  
Mr Jenkins  
Mr John  
Mr Kennett

Mr Lean  
Mr Leigh  
Mr Lupton  
Mr McArthur  
Ms McCall  
Mrs McGill  
Mr McGrath  
(Wimmera)  
Mr McNamara  
Mr Maclellan  
(Pakenham)  
Mr Maughan  
Dr Napthine  
Mr Paterson  
Mr Perrin

Mr Perton  
Mrs Peulich  
Mr Plowman  
(Benambra)  
Mr Reynolds  
Mr Rowe  
Mr Ryan  
Mr Savage  
Mrs Shardey  
Mr Smith  
(Polwarth)  
Mr Spry  
Mr Steggall  
Mr Stockdale  
Mr Thompson

Mr Traynor  
Mr Treasure  
Mrs Wade  
Mr Wells

Tellers  
Ms Burke  
Mr Kilgour  
Mr Smith  
(Glen Waverley)

## NOES, 24

Mr Andrianopoulos	Ms Garbutt	Mr Lim	
Mr Batchelor	Ms Gillett	Mr Micallef	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	<i>Tellers</i>
Mr Cunningham	Mr Hulls	Mr Seitz	Mr Carli
Ms Davies	Ms Kosky	Mr Thwaites	Mr Langdon
Mr Dollis	Mr Leighton	Mrs Wilson	Mrs Maddigan

And so it was resolved in the affirmative.

Ordered - That the Bill be committed on the next day of sitting.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

- 15 **ADJOURNMENT** - Mr Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.08 p.m.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 72 - Wednesday, 12 November 1997

- Mr Speaker took the Chair and read the Prayer.
- PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
  - WorkCover** - Seeking that the House reject the proposed changes to WorkCover, bearing 243 signatures (*by Mr Lim*)
  - National Gallery of Victoria - Water Wall** - Seeking that the water wall at the entrance to the National Gallery of Victoria be retained in any redesign of the Gallery, bearing 31 signatures (*by Mrs Maddigan*)
  - Accident Compensation Act 1985** - Seeking that there will be no changes to the Accident Compensation Act 1985 as a result of the current review of WorkCover, bearing 148 signatures (*by Mr Seitz*).

Severally ordered to lie on the Table.
- PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:
  - Bethlehem Hospital Inc. - Report for the year 1996-97 (two papers)
  - Financial Management Act 1994 - Report of the Minister for Health that he had received the 1996-97 Annual Reports of the -

Alexandra and District Ambulance Service  
Ambulance Officers' Training Centre

Western Health Care Network - Report for the year 1996-97.

- 4 MESSAGE FROM THE LEGISLATIVE COUNCIL - Agreeing to the Introduction Agents Bill with amendments.

Ordered - That the said amendments be printed and taken into consideration tomorrow.

- 5 MESSAGE FROM THE LEGISLATIVE COUNCIL - Agreeing to the Vocational Education And Training (Training Framework) Bill without amendment.

- 6 ADJOURNMENT MOTION - DEFERMENT OF AUDIT (AMENDMENT) BILL - Mr Bracks proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

"The refusal of the Premier to delay the debate on the Audit (Amendment) Bill until after the Mitcham by-election caused by the resignation on Tuesday, 11 November 1997, of the Honourable Roger Pescott."

Mr Speaker having ascertained that twelve members approved of the proposed discussion - Motion made and question - That the House do now adjourn (*Mr Bracks*) - after debate, put. The House divided.

AYES, 26

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Lim	Mrs Wilson
Mr Bracks	Ms Garbutt	Mr Micallef	
Mrs Campbell	Ms Gillett	Mr Mildenhall	<i>Tellers</i>
Mr Carli	Mr Haermeyer	Mr Pandazopoulos	Mr Cameron
Mr Cole	Mr Hulls	Mr Savage	Mr Langdon
Mr Cunningham	Ms Kosky	Mr Seitz	Mrs Maddigan

NOES, 48

Mr Andrighetto	Mr Lean	Mr Perton	Mr Traynor
Mr Ashley	Mr Leigh	Mrs Peulich	Mr Treasure
Mr Clark	Mr Lupton	Mr Phillips	Mrs Wade
Mr Coleman	Mr McArthur	Mr Plowman	Mr Wells
Mr Cooper	Ms McCall	( <i>Benambra</i> )	
Dr Dean	Mrs McGill	Mr Reynolds	
Mr Dixon	Mr McGrath	Mr Rowe	
Mr Doyle	( <i>Wimmera</i> )	Mrs Shardey	
Mr Elder	Mr McLellan	Mr Smith	
Mrs Elliott	( <i>Frankston East</i> )	( <i>Polwarth</i> )	
Mr Finn	Mr McNamara	Mr Spry	<i>Tellers</i>
Mr Gude	Mr Maughan	Mr Steggall	Ms Burke
Mr Jasper	Dr Napthine	Mr Stockdale	Mr Kilgour
Mr Jenkins	Mr Paterson	Mrs Tehan	Mr Smith
Mr John	Mr Perrin	Mr Thompson	( <i>Glen Waverley</i> )

And so it passed in the negative.

- 7 **EDUCATION - CREDIT TRANSFER AND COURSE ARTICULATION ARRANGEMENTS-**  
 Motion made and question proposed - That this House commends the Government and the Minister for Tertiary Education and Training for fostering co-operation between schools, TAFE institutes, private providers and universities to maximise credit transfer and course articulation arrangements, so that students can move from one sector to another with recognition for previous study (*Mr Thompson*) - and, after debate -
- General Business having been interrupted at 2.00 p.m.  
 pursuant to Sessional Orders.*
- 8 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 9 **BUSINESS FRANCHISE FEES (SAFETY NET) BILL** - Mr Stockdale, after debate obtained leave with Mr Gude, to bring in a Bill "*to amend the Business Franchise (Petroleum Products) Act 1979, the Business Franchise (Tobacco) Act 1974, the Liquor Control Act 1987 and the Tobacco Act 1987 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **LAND TAX (AMENDMENT) BILL** - Mr Stockdale, after debate obtained leave with Mr Gude, to bring in a Bill "*to amend the Land Tax Act 1958 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **PUBLIC SECTOR MANAGEMENT AND EMPLOYMENT BILL** - Mr Kennett, after debate obtained leave with Mr Gude, to bring in a Bill "*to provide for the management of the Victorian public sector and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **CONFISCATION BILL** - Mrs Wade, after debate obtained leave with Mr Gude, to bring in a Bill "*to provide for the forfeiture of the proceeds of crime and other property in certain circumstances, to amend the Sentencing Act 1991, to repeal the Crimes (Confiscation of Profits) Act 1986 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **ORDER OF THE DAY DISCHARGED** - Motion made and question - That the following Order of the Day, Government Business, be read and discharged:  
*Alpine Resorts Bill - Second reading - Resumption of debate.*  
 and that the Bill be withdrawn (*Mrs Tehan*) - put and agreed to.
- 14 **EPWORTH HOSPITAL (AMENDMENT) BILL** - Dr Napthine obtained leave, with Mr Gude, to bring in a Bill "*to amend the Epworth Hospital Act 1980 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 16 **PLANNING AND ENVIRONMENT (AMENDMENT) BILL** - Bill committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to.
- Question - That this Bill be now read a third time - put.

The House divided.

AYES, 53

Mr Andrighetto	Mr Lean	Dr Napthine	Mr Steggall
Mr Ashley	Mr Leigh	Mr Paterson	Mr Stockdale
Mr Clark	Mr Lupton	Mr Perrin	Mrs Tehan
Mr Coleman	Mr McArthur	Mrs Peulich	Mr Thompson
Dr Dean	Ms McCall	Mr Phillips	Mr Traynor
Mr Dixon	Mrs McGill	Mr Plowman	Mr Treasure
Mr Doyle	Mr McGrath	(Benambra)	Mrs Wade
Mr Elder	(Warrnambool)	Mr Reynolds	Mr Wells
Mrs Elliott	Mr McGrath	Mr Richardson	
Mr Finn	(Wimmera)	Mr Rowe	
Mr Gude	Mr McLellan	Mr Ryan	
Mrs Henderson	(Frankston East)	Mr Savage	Tellers
Mr Honeywood	Mr McNamara	Mrs Shardey	Ms Burke
Mr Jasper	Mr Maclellan	Mr Smith	Mr Kilgour
Mr Jenkins	(Pakenham)	(Polwarth)	Mr Smith
Mr John	Mr Maughan	Mr Spry	(Glen Waverley)

NOES, 26

Mr Andrianopoulos	Mr Cole	Ms Kosky	Mr Thwaites
Mr Baker	Mr Cunningham	Mr Leighton	Mrs Wilson
Mr Batchelor	Ms Davies	Mr Lim	
Mr Bracks	Mr Dollis	Mr Micallef	Tellers
Mr Brumby	Ms Garbutt	Mr Mildenhall	Mr Cameron
Mrs Campbell	Mr Haermeyer	Mr Pandazopoulos	Ms Gillett
Mr Carli	Mr Hulls	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative - Bill read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 17 **FOOD AMENDMENT BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Pursuant to Sessional Orders, Mr Thwaites announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment circulated.

Debate continued on question - That this Bill be now read a second time. Bill read a second time and committed; considered in Committee.

Committee reported progress; to sit again tomorrow.

- 18 **CONSTITUTION (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Kennett*).

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

Ordered - That the debate be adjourned until Wednesday, 19 November 1997.

- 19 **LAND (RESERVATIONS AND OTHER MATTERS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 26 November 1997.
- 20 **ACCIDENT COMPENSATION (MISCELLANEOUS AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Motion made and question proposed - That the debate be adjourned until 26 November 1997 (*Mr Stockdale*).
- Amendment proposed - That the expression "1997" be omitted with the view of inserting in place thereof the expression "1998" (*Mr Brumby*) - and, after debate
- Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*
- 15 **ADJOURNMENT** - Mr Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.52 p.m.

P. J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## No. 73 - Thursday, 13 November 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Ambulance Service Victoria - South Eastern Region - Report for the year 1996-97
  - Financial Management Act 1994 -
    - Report of the Minister for Conservation and Land Management that she had received the 1996-97 Annual Report of the Yarra Bend Park Trust
    - Reports of the Minister for Health that he had received the 1996-97 Annual Reports of the -
      - Optometrists Registration Board
      - Tweddle Child and Family Health Centre
  - Mental Health Act 1986 - Report of the Community Visitors for the year 1996-97
  - Victorian Health Promotion Foundation - Report for the year 1996-97.

**3 MESSAGES FROM THE LEGISLATIVE COUNCIL - Agreeing to the following Bills without amendment:**

University Acts (Further Amendment) Bill  
 Geelong Performing Arts Centre Trust (Amendment) Bill  
 Docklands Authority (Amendment) Bill  
 Urban Land Corporation Bill  
 Melbourne Sports and Aquatic Centre (Amendment) Bill.

**4 VOCATIONAL EDUCATION AND TRAINING (TRAINING FRAMEWORK) BILL - CLERK OF THE PARLIAMENTS CORRECTION - Mr Speaker announced that he had received a communication from the Clerk of the Parliaments in conformity with Joint Standing Order No. 21, reporting that a clerical error had been discovered in this Bill.**

On the motion of Mr Gude, the House agreed that the error be corrected as follows -

In clause 33 -

Omit

*"94B. After section 94A of the Principal Act insert—Review of decisions by training agents'*

and insert

*'After section 94A of the Principal Act insert—*

*"94B. Review of decisions by training agents'*

Ordered - That the communication from the Clerk of the Parliaments be transmitted to the Legislative Council with a Message requesting their concurrence in the correction of the error.

**5 UNCLAIMED MONEYS (AMENDMENT) BILL - 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, read a third time forthwith.**

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

**6 EDUCATION (PRESCHOOLS) BILL - 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 place thereof the words "this House refuses to read this Bill a second time until Members of this House and the public have had an opportunity to scrutinise proposed guidelines relating to preschool programs and in particular guidelines controlling the practice of potential commercial preschool entrepreneurs." (*Mrs Campbell*).

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

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

**7 ALPINE RESORTS (MANAGEMENT) BILL - 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 McArthur*) - put and agreed to.

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

- 8 **LEGAL PRACTICE (AMENDMENT) BILL** - 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 (*Dr Dean*) - put and agreed to.  
Ordered - That the debate be adjourned until later this day.
- 9 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 5 and 6, be postponed until later this day.
- 10 **ACCIDENT COMPENSATION (MISCELLANEOUS AMENDMENT) BILL** - Order read for resuming debate on question - That the debate on the second reading be adjourned until 26 November 1997 - *and on the amendment* - That the expression "1997" be omitted with a view of inserting in place thereof the expression "1998"; debate resumed.  
*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*
- 11 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 12 **ACCIDENT COMPENSATION (MISCELLANEOUS AMENDMENT) BILL** - Debate resumed on question - That the debate on the second reading be adjourned until 26 November 1997 - *and on the amendment* - That the expression "1997" be omitted with a view of inserting in place thereof the expression "1998".  
*Allocation of time - Mr Acting Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 11 November 1997 had expired.*
- 13 **EDUCATION (PRESCHOOLS) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until Members of this House and the public have had an opportunity to scrutinise proposed guidelines relating to preschool programs and in particular guidelines controlling the practice of potential commercial preschool entrepreneurs."  
Question - That the words proposed to be omitted stand part of the question - put.  
The House divided.

AYES, 47

Mr Andrighetto	Mr Kennett	Mr Paterson	Mr Stockdale
Mr Ashley	Mr Lean	Mr Perrin	Mrs Tehan
Mr Clark	Mr Leigh	Mrs Peulich	Mr Traynor
Mr Coleman	Mr Lupton	Mr Phillips	Mr Treasure
Dr Dean	Mr McArthur	Mr Plowman	Mrs Wade
Mr Dixon	Ms McCall	( <i>Benambra</i> )	Mr Wells
Mr Doyle	Mrs McGill	Mr Reynolds	
Mrs Elliott	Mr McGrath	Mr Richardson	
Mr Finn	( <i>Wimmera</i> )	Mr Rowe	
Mr Gude	Mr McLellan	Mrs Shardey	<i>Tellers</i>
Mrs Henderson	( <i>Frankston East</i> )	Mr Smith	Ms Burke
Mr Jasper	Mr McNamara	( <i>Polwarth</i> )	Mr Kilgour
Mr Jenkins	Mr Maughan	Mr Spry	Mr Smith
Mr John	Dr Napthine	Mr Steggall	( <i>Glen Waverley</i> )

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Micallef	
Mr Baker	Ms Garbutt	Mr Mildenhall	
Mr Batchelor	Ms Gillett	Mr Pandazopoulos	
Mr Bracks	Mr Hamilton	Mr Savage	
Mr Brumby	Mr Hulls	Mr Seitz	<i>Tellers</i>
Mrs Campbell	Ms Kosky	Mr Sheehan	Mr Carli
Mr Cunningham	Mr Leighton	Mr Thwaites	Mr Langdon
Ms Davies	Mr Lim	Mrs Wilson	Mrs Maddigan

And so it was resolved in the affirmative.

Question - That this Bill be now read a second time and a third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 14 **ALPINE RESORTS (MANAGEMENT) BILL** - 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 and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put.

The House divided.

AYES, 47

Mr Andrighetto	Mr Kennett	Mr Paterson	Mr Stockdale
Mr Ashley	Mr Lean	Mr Perrin	Mrs Tehan
Mr Clark	Mr Leigh	Mrs Peulich	Mr Traynor
Mr Coleman	Mr Lupton	Mr Phillips	Mr Treasure
Dr Dean	Mr McArthur	Mr Plowman	Mrs Wade
Mr Dixon	Ms McCall	<i>(Benambra)</i>	Mr Wells
Mr Doyle	Mrs McGill	Mr Reynolds	
Mrs Elliott	Mr McGrath	Mr Richardson	
Mr Finn	<i>(Wimmera)</i>	Mr Rowe	
Mr Gude	Mr McLellan	Mrs Shardey	<i>Tellers</i>
Mrs Henderson	<i>(Frankston East)</i>	Mr Smith	Ms Burke
Mr Jasper	Mr McNamara	<i>(Polwarth)</i>	Mr Kilgour
Mr Jenkins	Mr Maughan	Mr Spry	Mr Smith
Mr John	Dr Napthine	Mr Steggall	<i>(Glen Waverley)</i>

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Micallef	
Mr Baker	Ms Garbutt	Mr Mildenhall	
Mr Batchelor	Ms Gillett	Mr Pandazopoulos	
Mr Bracks	Mr Hamilton	Mr Savage	
Mr Brumby	Mr Hulls	Mr Seitz	<i>Tellers</i>
Mrs Campbell	Ms Kosky	Mr Sheehan	Mr Carli
Mr Cunningham	Mr Leighton	Mr Thwaites	Mr Langdon
Ms Davies	Mr Lim	Mrs Wilson	Mrs Maddigan

And so it was resolved in the affirmative.

15 **LEGAL PRACTICE (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Bill be read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

16 **GAMING ACTS (MISCELLANEOUS AMENDMENT) BILL** - 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 and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put.

The House divided.

AYES, 47

Mr Andrighetto	Mr Leigh	Mr Perrin	Mr Traynor
Mr Ashley	Mr Lupton	Mrs Peulich	Mr Treasure
Mr Clark	Mr McArthur	Mr Phillips	Mrs Wade
Mr Coleman	Ms McCall	Mr Plowman	Mr Wells
Dr Dean	Mrs McGill	(Benambra)	
Mr Dixon	Mr McGrath	Mr Reynolds	
Mr Doyle	(Wimmera)	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	(Frankston East)	Mrs Shardey	
Mr Gude	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(Polwarth)	Tellers
Mr Jasper	(Pakenham)	Mr Spry	Ms Burke
Mr Jenkins	Mr Maughan	Mr Steggall	Mr Kilgour
Mr John	Dr Napthine	Mr Stockdale	Mr Smith
Mr Lean	Mr Paterson	Mrs Tehan	(Glen Waverley)

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Micallef	
Mr Baker	Ms Garbutt	Mr Mildenhall	
Mr Batchelor	Ms Gillett	Mr Pandazopoulos	
Mr Bracks	Mr Hamilton	Mr Savage	
Mr Brumby	Mr Hulls	Mr Seitz	Tellers
Mrs Campbell	Ms Kosky	Mr Sheehan	Mr Carli
Mr Cunningham	Mr Leighton	Mr Thwaites	Mr Langdon
Ms Davies	Mr Lim	Mrs Wilson	Mrs Maddigan

And so it was resolved in the affirmative.

17 **FOOD (AMENDMENT) BILL** - Question - That Clause 6 and Clauses 7 to 39 inclusive stand part of the Bill and that this Bill be now read a third time and the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

18 **ACCIDENT COMPENSATION (MISCELLANEOUS AMENDMENT) BILL** - Debate continued on question - That the debate on the second reading be adjourned until 26 November 1997 - *and on the amendment* - That the expression "1997" be omitted with a view of inserting in place thereof the expression "1998".

Motion made and question - That the question be now put (*Mr Gude*) - put.

The House divided.

AYES, 48

Mr Andrighetto	Mr Lean	Mr Paterson	Mr Thompson
Mr Ashley	Mr Leigh	Mr Perrin	Mr Traynor
Mr Clark	Mr Lupton	Mrs Peulich	Mr Treasure
Mr Coleman	Mr McArthur	Mr Phillips	Mrs Wade
Ms Davies	Ms McCall	Mr Plowman	Mr Wells
Dr Dean	Mrs McGill	( <i>Benambra</i> )	
Mr Dixon	Mr McGrath	Mr Reynolds	
Mr Doyle	( <i>Wimmera</i> )	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	( <i>Frankston East</i> )	Mrs Shardey	
Mr Gude	Mr McNamara	Mr Smith	<i>Tellers</i>
Mrs Henderson	Mr Maclellan	( <i>Polwarth</i> )	Ms Burke
Mr Jasper	( <i>Pakenham</i> )	Mr Spry	Mr Kilgour
Mr Jenkins	Mr Maughan	Mr Steggall	Mr Smith
Mr John	Dr Napthine	Mrs Tehan	( <i>Glen Waverley</i> )

NOES, 26

Mr Andrianopoulos	Mr Dollis	Mr Lim	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Micallef	Mrs Wilson
Mr Batchelor	Ms Gillett	Mr Mildenhall	
Mr Bracks	Mr Hamilton	Mr Pandazopoulos	<i>Tellers</i>
Mr Brumby	Mr Hulls	Mr Savage	Mr Carli
Mrs Campbell	Ms Kosky	Mr Seitz	Mr Langdon
Mr Cunningham	Mr Leighton	Mr Sheehan	Mrs Maddigan

And so it was resolved in the affirmative.

Question - That the expression proposed to be omitted stand part of the question - accordingly put.

The House divided.

AYES, 48

Mr Andrighetto	Mr Leigh	Mr Perrin	Mr Thompson
Mr Ashley	Mr Lupton	Mrs Peulich	Mr Traynor
Mr Clark	Mr McArthur	Mr Phillips	Mr Treasure
Mr Coleman	Ms McCall	Mr Plowman	Mrs Wade
Dr Dean	Mrs McGill	(Benambra)	Mr Wells
Mr Dixon	Mr McGrath	Mr Reynolds	
Mr Doyle	(Wimmera)	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	(Frankston East)	Mrs Shardey	
Mr Gude	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(Polwarth)	Tellers
Mr Jasper	(Pakenham)	Mr Spry	Ms Burke
Mr Jenkins	Mr Maughan	Mr Steggall	Mr Kilgour
Mr John	Dr Napthine	Mr Stockdale	Mr Smith
Mr Lean	Mr Paterson	Mrs Tehan	(Glen Waverley)

NOES, 28

Mr Andrianopoulos	Mr Dollis	Mr Lim	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Micallef	
Mr Batchelor	Ms Gillett	Mr Mildenhall	
Mr Bracks	Mr Haermeyer	Mr Pandazopoulos	
Mr Brumby	Mr Hamilton	Mr Savage	Tellers
Mrs Campbell	Mr Hulls	Mr Seitz	Mr Carli
Mr Cunningham	Ms Kosky	Mr Sheehan	Mr Langdon
Ms Davies	Mr Leighton	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Question - That the debate be adjourned until Wednesday, 26 November 1997 - put and agreed to.

- 19 **BUSINESS FRANCHISE FEES (SAFETY NET) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).

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

Ordered - That the debate be adjourned until Thursday, 27 November 1997.

- 20 **LAND TAX (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).

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

Ordered - That the debate be adjourned until Thursday, 27 November 1997.

- 21 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 10, be postponed until later this day.

- 
- 22 **CONFISCATION BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Mrs Wade made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 27 November 1997.
- 23 **EPWORTH HOSPITAL (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Dr Napthine*).
- Motion made and question - That the debate be now adjourned (*Mr Thwaites*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 27 November 1997.
- 24 **MESSAGES FROM THE LEGISLATIVE COUNCIL** -
- Agreeing to the following Bills without amendment:
- University of Ballarat (Amendment) Bill
  - Health Services (Amendment) Bill
  - Disability Services and Other Acts (Amendment) Bill
- Acquainting the Assembly that they have concurred with the correction of the clerical error reported by the Clerk of the Parliaments in the Vocational Education and Training (Training Framework) Bill.
- 25 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 26 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 6.23 p.m., adjourned until Tuesday, 18 November 1997.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 74, 75 and 76

No. 74 - Tuesday, 18 November 1997

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:

**Accident Compensation Act 1985** - Seeking that there will be no changes to the Accident Compensation Act 1985 as a result of the current review of WorkCover, bearing 110 signatures (*by Mrs Wilson*)

**WorkCover** - Seeking that the House reject the proposed changes to WorkCover, bearing 907 signatures (*by Mr Finn*)

Severally ordered to lie on the Table.

4 **PAPERS**

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 11 of 1997 on the -

Constitution (Amendment) Bill

Audit (Amendment) Bill

Gaming Acts (Miscellaneous Amendment) Bill

together with an Appendix and Extract from the proceedings.

Ordered to lie on the Table and to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Crown Land (Reserves) Act 1978 - Section 17DA Order granting, under Section 17D, a lease over part of the Heidi Park and Art Gallery Reserve

Environment Conservation Council Act 1997 - Notice of amendment of request to the Environment Conservation Council to carry out an investigation of Victoria's Marine, Coastal and Estuarine Areas

Financial Management Act 1994 -

Reports of the Minister for Agriculture and Resources that he had received the 1996-97 Annual Reports of the -

Broken River Management Board

East Gippsland River Management Board

Lower Goulburn Waterway Management Authority

Mitchell River Management Board

North East Waterways  
 Tambo Nicholson River Management Board  
 Upper Goulburn Waterways Authority  
 Upper North East River Management Authority  
 Water Training Centre

Report of the Minister for Agriculture and Resources that he had not received the 1996-97 Annual Reports and the reasons therefor of the -

Avoca River Management Authority  
 Bullock Creek Improvement Trust  
 Corner Inlet Waterways Authority  
 Glenelg River Improvement Trust  
 Lake Wellington Rivers Authority  
 Pental Island River Improvement Trust  
 Snowy River Improvement Trust  
 Tarwin Bass Waterways Authority

Intellectually Disabled Persons' Services Act 1986 - Report of the Community Visitors for the year 1996-97

Marine and Freshwater Resources Institute - Report for the year 1996-97

Murray Valley Citrus Marketing Board - Report for the year 1996-97 (two papers)

National Environment Protection Council - Report for the year 1996-97

Planning and Environment Act 1987 - Amendment No. 108 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan

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

Bairnsdale (Shire) Planning Scheme - No. L59  
 Darebin Planning Scheme - No. L32  
 Delatite Planning Scheme - No. L11  
 Frankston Planning Scheme - No. L103  
 Greater Bendigo Planning Scheme - No. L69  
 Greater Geelong Planning Scheme - No. R203  
 Melbourne Planning Scheme - No. L244  
 Mildura Shire Planning Scheme - No. L57  
 Moonee Valley Planning Scheme - No. L31  
 Pakenham Planning Scheme - No. L143  
 Stonnington Planning Scheme - No. L21  
 Werribee Planning Scheme - No. L123  
 Whitehorse Planning Scheme - No. L3  
 Yarra Planning Scheme - No. L52

Police Board of Victoria - Report for the year 1996-97

Victoria Grants Commission - Report for the year ended 31 August 1997

Victorian Coastal and Bay Management Council - Report for the year 1996-97.

**5 MESSAGE FROM HER EXCELLENCY THE LIEUTENANT-GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that she had, that day, given the Royal Assent to the following Bills, presented to her by the Clerk of the Parliaments:

Crimes (Mental Impairment And Unfitness To Be Tried) Bill  
 Docklands Authority (Amendment) Bill  
 Geelong Performing Arts Centre Trust (Amendment) Bill

Melbourne Sports And Aquatic Centre (Amendment) Bill  
 Sentencing (Amendment) Bill  
 University Acts (Further Amendment) Bill  
 Urban Land Corporation Bill.

- 6 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 6.00 p.m., Thursday, 20 November 1997:

Introduction Agents Bill - Amendments of the Legislative Council  
 St Andrew's Foundation Bill  
 Residential Tenancies Bill  
 Gas Safety Bill  
 Gas Industry (Further Amendment) Bill  
 Health Services (St Andrew's Hospital) Bill  
 Rail Corporations (Amendment) Bill  
 Water Acts (Further Amendment) Bill  
 Audit (Amendment) Bill

(*Mr Gude*) - put, after debate, and agreed to.

- 7 **INTRODUCTION AGENTS BILL** - Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 8 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

- 9 **ST ANDREW'S FOUNDATION BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Mr Acting Speaker 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 (*Mrs Wade*) - put and agreed to.

Debate resumed on question - That this Bill be now read a second time; Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 10 **RESIDENTIAL TENANCIES BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mrs Henderson announced that it was proposed to move amendments in Committee 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 place thereof the words "this House refuses to read this Bill a second time until such time as - (a) all groups involved in the Asher consultation have been consulted about the final content of the Bill and are satisfied that tenant rights are protected; (b) the Minister has made a public commitment to ensure that those groups of people currently exempt under the Bill, including students and those with an intellectual disability, will be adequately

provided for in the future; and (c) a review of minimum standards for the conditions of rental accommodation is conducted." (*Ms Kosky*) - and, after debate -

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

The House divided.

AYES, 50

Mr Andrighetto	Mr Lean	Mrs Peulich	Mr Treasure
Mr Ashley	Mr Leigh	Mr Phillips	Mrs Wade
Mr Clark	Mr Lupton	Mr Plowman	Mr Wells
Mr Coleman	Mr McArthur	( <i>Benambra</i> )	
Mr Cooper	Ms McCall	Mr Richardson	
Dr Dean	Mrs McGill	Mr Rowe	
Mr Dixon	Mr McGrath	Mr Ryan	
Mr Doyle	( <i>Wimmera</i> )	Mrs Shardey	
Mr Elder	Mr McLellan	Mr Smith	
Mrs Elliott	( <i>Frankston East</i> )	( <i>Polwarth</i> )	
Mr Finn	Mr McNamara	Mr Spry	
Mr Gude	Mr Maughan	Mr Steggall	<i>Tellers</i>
Mrs Henderson	Dr Napthine	Mr Stockdale	Ms Burke
Mr Honeywood	Mr Paterson	Mrs Tehan	Mr Kilgour
Mr Jenkins	Mr Perrin	Mr Thompson	Mr Smith
Mr John	Mr Pertone	Mr Traynor	( <i>Glen Waverley</i> )

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	
Mr Baker	Ms Garbutt	Mr Pandazopoulos	
Mr Batchelor	Ms Gillett	Mr Savage	<i>Tellers</i>
Mr Bracks	Mr Haermeyer	Mr Seitz	Mr Cameron
Mr Brumby	Mr Hulls	Mr Thwaites	Mr Langdon
Mrs Campbell	Ms Kosky	Mrs Wilson	Mrs Maddigan
Mr Carli	Mr Lim		
Mr Cunningham	Mr Loney		
Ms Davies	Mr Micallef		

And so it was resolved in the affirmative.

Question - That the Bill be now read a second time - put.

The House divided.

AYES, 50

Mr Andrighetto	Mr Lean	Mrs Peulich	Mr Treasure
Mr Ashley	Mr Leigh	Mr Phillips	Mrs Wade
Mr Clark	Mr Lupton	Mr Plowman	Mr Wells
Mr Coleman	Mr McArthur	(Benambra)	
Mr Cooper	Ms McCall	Mr Richardson	
Dr Dean	Mrs McGill	Mr Rowe	
Mr Dixon	Mr McGrath	Mr Ryan	
Mr Doyle	(Wimmera)	Mrs Shardey	
Mr Elder	Mr McLellan	Mr Smith	
Mrs Elliott	(Frankston East)	(Polwarth)	
Mr Finn	Mr McNamara	Mr Spry	
Mr Gude	Mr Maughan	Mr Steggall	Tellers
Mrs Henderson	Dr Napthine	Mr Stockdale	Ms Burke
Mr Honeywood	Mr Paterson	Mrs Tehan	Mr Kilgour
Mr Jenkins	Mr Perrin	Mr Thompson	Mr Smith
Mr John	Mr Pertone	Mr Traynor	(Glen Waverley)

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	
Mr Baker	Ms Garbutt	Mr Pandazopoulos	
Mr Batchelor	Ms Gillett	Mr Savage	Tellers
Mr Bracks	Mr Haermeyer	Mr Seitz	Mr Cameron
Mr Brumby	Mr Hulls	Mr Thwaites	Mr Langdon
Mrs Campbell	Ms Kosky	Mrs Wilson	Mrs Maddigan
Mr Carli	Mr Lim		
Mr Cunningham	Mr Loney		
Ms Davies	Mr Micallef		

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 11 **GAS SAFETY BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 12 **GAS INDUSTRY (FURTHER AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until - (a) the Parliament has passed legislation - (i) to ensure no Victorian domestic consumer will have to pay a higher tariff for the supply of natural gas than other consumers in Victoria; and (ii) implementing a system of scrutiny by the Parliament concerning the contractual obligations applying to all asset sales, outsourcing, and consultancies similar to the systems

in place in New South Wales and South Australia; and (b) the Government makes a definitive statement on the cross-ownership provisions which are to be part of its energy policy." (*Mr Loney*) - and, after debate -

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Mr Gude*) - put and agreed to.

Debate continued on question - That this Bill be now read a second time.

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

The House divided.

#### AYES, 52

Mr Andrighetto	Mr John	Mr Maughan	Mr Steggall
Mr Ashley	Mr Kennett	Dr Napthine	Mr Stockdale
Mr Clark	Mr Lean	Mr Paterson	Mrs Tehan
Mr Coleman	Mr Leigh	Mr Perrin	Mr Thompson
Mr Cooper	Mr Lupton	Mr Perton	Mr Traynor
Dr Dean	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Dixon	Ms McCall	Mr Phillips	Mrs Wade
Mr Doyle	Mrs McGill	Mr Reynolds	Mr Wells
Mr Elder	Mr McGrath	Mr Richardson	
Mrs Elliott	( <i>Wimmera</i> )	Mr Rowe	
Mr Finn	Mr McLellan	Mr Ryan	<i>Tellers</i>
Mr Gude	( <i>Frankston East</i> )	Mrs Shardey	Ms Burke
Mrs Henderson	Mr McNamara	Mr Smith	Mr Kilgour
Mr Jasper	Mr Maclellan	( <i>Polwarth</i> )	Mr Smith
Mr Jenkins	( <i>Pakenham</i> )	Mr Spry	( <i>Glen Waverley</i> )

#### NOES, 30

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Sheehan
Mr Baker	Ms Davies	Mr Lim	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Loney	Mrs Wilson
Mr Bracks	Ms Garbutt	Mr Micallef	
Mr Brumby	Ms Gillett	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Haermeyer	Mr Pandazopoulos	Mr Cameron
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Mr Cole	Ms Kosky	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Question - That the Bill be now read a second time - put.

The House divided.

AYES, 52

Mr Andrighetto	Mr John	Mr Maughan	Mr Steggall
Mr Ashley	Mr Kennett	Dr Napthine	Mr Stockdale
Mr Clark	Mr Lean	Mr Paterson	Mrs Tehan
Mr Coleman	Mr Leigh	Mr Perrin	Mr Thompson
Mr Cooper	Mr Lupton	Mr Perton	Mr Traynor
Dr Dean	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Dixon	Ms McCall	Mr Phillips	Mrs Wade
Mr Doyle	Mrs McGill	Mr Reynolds	Mr Wells
Mr Elder	Mr McGrath	Mr Richardson	
Mrs Elliott	(Wimmera)	Mr Rowe	
Mr Finn	Mr McLellan	Mr Ryan	<i>Tellers</i>
Mr Gude	(Frankston East)	Mrs Shardey	Ms Burke
Mrs Henderson	Mr McNamara	Mr Smith	Mr Kilgour
Mr Jasper	Mr Maclellan	(Polwarth)	Mr Smith
Mr Jenkins	(Pakenham)	Mr Spry	(Glen Waverley)

NOES, 30

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Sheehan
Mr Baker	Ms Davies	Mr Lim	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Loney	Mrs Wilson
Mr Bracks	Ms Garbutt	Mr Micallef	
Mr Brumby	Ms Gillett	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Haermeyer	Mr Pandazopoulos	Mr Cameron
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Mr Cole	Ms Kosky	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 13 **HEALTH SERVICES (ST ANDREW'S HOSPITAL) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Dr Napthine announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment circulated.

Debate resumed on question - That this Bill be now read a second time. Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 15 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 11.45 p.m., adjourned until tomorrow.

P. J. MITHEN  
Clerk of the Legislative Assembly

S. J. PLOWMAN  
Speaker

## No. 75 - Wednesday, 19 November 1997

1 Mr Speaker took the Chair and read the Prayer.

2 **PAPERS -**

**GOVERNMENT RESPONSE TO THE NATIONAL ABORIGINAL INQUIRY** - Motion made, by leave, and question - That there be presented to this House a copy of the Victorian Government Response to the Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families - "Bringing them Home" (*Mrs Henderson*) - put and agreed to.

The said report was presented by Mrs Henderson and ordered to lie on the Table.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Financial Management Act 1994 - Reports of the Minister for Health that he had received the 1996-97 Annual Reports of the -

Advanced Dental Technicians Qualifications Board  
Dental Technicians Licensing Committee  
South Gippsland Hospital

Gippsland Southern Health Service - Report for the year 1996-97

Health Services Act 1988 - Report of the Community Visitors for the year 1996-97 -  
Ordered to be printed

Radiation Advisory Committee - Report for the year ending September 1997.

- 3 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Local Government (Miscellaneous Amendment) Bill without amendment.
- 4 **GOVERNMENT PLANNING PROCESSES** - Motion made and question proposed - That this House condemns the Minister for Planning and Local Government and the Kennett Government for - (a) substituting Ministerial discretion for the planning process; (b) undermining public participation and public accountability in the planning process; (c) intervening in the planning process to the long-term detriment of Melbourne and its urban amenity; (d) ignoring and weakening environmental assessment mechanisms; and (e) allowing the ad-hoc subdivision of valuable parts of Victoria's environmental assets (*Mr Dollis*) - and, after debate -

*General Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

5 **QUESTIONS** - (Pursuant to Standing Order No. 124).

6 **EDUCATION (STATE SCHOOLS) BILL** - Mr Gude, after debate, obtained leave with Mrs Wade, to bring in a Bill "*to amend the Education Act 1958 to make further provision relating to State schools and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

7 **GUARDIANSHIP AND ADMINISTRATION BOARD (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to amend the Guardianship and Administration Board Act 1986, the Medical Treatment Act 1988 and the Mental Health Act 1986 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

8 **RAIL CORPORATIONS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Batchelor announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

The House divided.

AYES, 52

Mr Andrighetto	Mr John	Mr Paterson	Mrs Tehan
Mr Ashley	Mr Lean	Mr Perrin	Mr Thompson
Mr Clark	Mr Leigh	Mr Perton	Mr Traynor
Mr Coleman	Mr Lupton	Mrs Peulich	Mr Treasure
Mr Cooper	Mr McArthur	Mr Phillips	Mrs Wade
Dr Dean	Ms McCall	Mr Plowman	Mr Wells
Mr Dixon	Mrs McGill	(Benambra)	
Mr Doyle	Mr McGrath	Mr Richardson	
Mr Elder	(Wimmera)	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	(Frankston East)	Mrs Shardey	
Mr Gude	Mr McNamara	Mr Smith	Tellers
Mrs Henderson	Mr Maclellan	(Polwarth)	Ms Burke
Mr Honeywood	(Pakenham)	Mr Spry	Mr Kilgour
Mr Jasper	Mr Maughan	Mr Steggall	Mr Smith
Mr Jenkins	Dr Napthine	Mr Stockdale	(Glen Waverley)

NOES, 30

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mr Sheehan
Mr Baker	Mr Dollis	Mr Lim	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Carli
Mr Cole	Mr Hulls	Mr Savage	Mr Langdon
Mr Cunningham	Ms Kosky	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 9 **WATER ACTS (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Question - put.

The House divided.

AYES, 51

Mr Andrightetto	Mr Jenkins	Mr Maughan	Mr Spry
Mr Ashley	Mr John	Dr Napthine	Mr Steggall
Mr Clark	Mr Kennett	Mr Paterson	Mrs Tehan
Mr Coleman	Mr Lean	Mr Perrin	Mr Traynor
Mr Cooper	Mr Lupton	Mr Perton	Mr Treasure
Ms Davies	Mr McArthur	Mrs Peulich	Mrs Wade
Dr Dean	Ms McGill	Mr Phillips	Mr Wells
Mr Dixon	Mr McGrath	Mr Plowman	
Mr Doyle	(Wimmera)	Mr Reynolds	
Mrs Elliott	Mr McLellan	Mr Richardson	<i>Tellers</i>
Mr Finn	(Frankston East)	Mr Rowe	Ms Burke
Mr Gude	Mr McNamara	Mr Ryan	Mr Kilgour
Mrs Henderson	Mr MacLellan	Mr Savage	Mr Smith
Mr Honeywood	(Pakenham)	Mrs Shardey	(Glen Waverley)
Mr Jasper			

NOES, 28

Mr Andrianopoulos	Mr Dollis	Mr Lim	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Loney	
Mr Batchelor	Ms Gillett	Mr Micallef	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mr Brumby	Mr Hamilton	Mr Pandazopoulos	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Seitz	Mr Carli
Mr Cole	Ms Kosky	Mr Sheehan	Mr Langdon
Mr Cunningham	Mr Leighton	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 10 **AUDIT (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

Pursuant to Sessional Orders, Mr Bracks announced that it was proposed to move amendments in Committee 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 place thereof the words "this House refuses to read this Bill a second time until the results are known of the Mitcham by-election to be held on 13 December 1997, which will indicate the public's opinion on the right of the Auditor-General to - (a) retain direct responsibility, management and oversight of public sector auditing in Victoria; and (b) implement and conduct audits in the Auditor-General's own right." (*Mr Bracks*) - and, after debate -

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Mr Gude*) - 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 (*Mr Ryan*) - put and agreed to.

Ordered - That the debate be adjourned until tomorrow.

- 11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Hire-Purchase (Further Amendment) Bill  
Wildlife (Amendment) Bill  
Mental Health (Victorian Institute of Forensic Mental Health) Bill  
Podiatrists Registration Bill.

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Transport Acts (Amendment) Bill with amendments.

Ordered - That the said amendments be printed and taken into consideration tomorrow

- 13 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.

- 14 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.

And the House, at 11.54 p.m., adjourned until tomorrow.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 76 - Thursday, 20 November 1997

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

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

**Preservation of Wilson's Promontory National Park** - Seeking that the Government act to abandon the proposed developments at Wilson's Promontory National Park and

ensure that the natural environment of the park, as at present, is preserved for the generations to come, bearing 33 signatures (*by Ms Garbutt*)

**Victorian Building Industry** - Seeking that - (a) the issues raised by the Economic Development Committee inquiry into the building industry in Victoria be implemented urgently; (b) justice for all be recognized as a basic tenet of any healthy democracy and blatant transgressions of this nature must be acted upon; and (c) the Parliament addresses the problem of private and public liquidators refusing to pursue monies rightfully owing to the company in liquidation without advance payment for the legal costs, bearing 11 signatures (*by Mr Lupton*).

Severally ordered to lie on the Table.

- 3 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 2 December 1997 (*Mr Gude*) - put and agreed to.
- 4 **UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN** - Motion made and question - That pursuant to section 46D(1)(c) of the **Planning and Environment Act 1987**, Amendment No. 108 to Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved (*Mr Maclellan, Pakenham*) - put and agreed to.
- 5 **AUDIT (AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until the results are known of the Mitcham by-election to be held on 13 December 1997, which will indicate the public's opinion on the right of the Auditor-General to - (a) retain direct responsibility, management and oversight of public sector auditing in Victoria; and (b) implement and conduct audits in the Auditor-General's own right"; debate resumed.

*Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 7 **AUDIT (AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until the results are known of the Mitcham by-election to be held on 13 December 1997, which will indicate the public's opinion on the right of the Auditor-General to - (a) retain direct responsibility, management and oversight of public sector auditing in Victoria; and (b) implement and conduct audits in the Auditor-General's own right".

*Allocation of time - Mr Acting Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 18 November 1997 had expired.*

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

The House divided.

AYES, 54

Mr Andrighetto	Mr John	Dr Napthine	Mr Steggall
Mr Ashley	Mr Kennett	Mr Paterson	Mr Stockdale
Mr Clark	Mr Lean	Mr Perrin	Mrs Tehan
Mr Coleman	Mr Leigh	Mr Perton	Mr Thompson
Mr Cooper	Mr Lupton	Mrs Peulich	Mr Traynor
Dr Dean	Mr McArthur	Mr Phillips	Mr Treasure
Mr Dixon	Ms McCall	Mr Plowman	Mrs Wade
Mr Doyle	Mrs McGill	(Benambra)	Mr Wells
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(Warrnambool)	Mr Richardson	
Mr Finn	Mr McGrath	Mr Rowe	
Mr Gude	(Wimmera)	Mr Ryan	Tellers
Mrs Henderson	Mr McNamara	Mrs Shardey	Ms Burke
Mr Honeywood	Mr Maclellan	Mr Smith	Mr Kilgour
Mr Jasper	(Pakenham)	(Polwarth)	Mr Smith
Mr Jenkins	Mr Maughan	Mr Spry	(Glen Waverley)

NOES, 30

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Sheehan
Mr Baker	Ms Davies	Mr Lim	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Cameron
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Mr Cole	Ms Kosky	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Question - That this Bill be now read a second time, Government amendments Nos. 1 to 12 inclusive be agreed to, the Bill be now read a third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put.

The House divided.

AYES, 54

Mr Andrighetto	Mr John	Dr Napthine	Mr Steggall
Mr Ashley	Mr Kennett	Mr Paterson	Mr Stockdale
Mr Clark	Mr Lean	Mr Perrin	Mrs Tehan
Mr Coleman	Mr Leigh	Mr Perton	Mr Thompson
Mr Cooper	Mr Lupton	Mrs Peulich	Mr Traynor
Dr Dean	Mr McArthur	Mr Phillips	Mr Treasure
Mr Dixon	Ms McCall	Mr Plowman	Mrs Wade
Mr Doyle	Mrs McGill	(Benambra)	Mr Wells
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(Warrnambool)	Mr Richardson	
Mr Finn	Mr McGrath	Mr Rowe	
Mr Gude	(Wimmera)	Mr Ryan	Tellers
Mrs Henderson	Mr McNamara	Mrs Shardey	Ms Burke
Mr Honeywood	Mr Maclellan	Mr Smith	Mr Kilgour
Mr Jasper	(Pakenham)	(Polwarth)	Mr Smith
Mr Jenkins	Mr Maughan	Mr Spry	(Glen Waverley)

NOES, 30

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Sheehan
Mr Baker	Ms Davies	Mr Lim	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Cameron
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Mr Cole	Ms Kosky	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

- 8 **EDUCATION (STATE SCHOOLS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).
- Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 4 December 1997.
- 9 **GUARDIANSHIP AND ADMINISTRATION BOARD (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Hulls*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 4 December 1997.

- 
- 10 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Wills Bill
  - Law and Justice Legislation (Further Amendment) Bill
  - State Taxation (Amendment) Bill
  - Crimes (Amendment) Bill
  - St Andrew's Foundation Bill
  - Health Services (St Andrew's Hospital) Bill
  - Education (Preschools) Bill.
- 11 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 12 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 7.24 p.m., adjourned until Tuesday, 2 December 1997.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS  
Nos. 77, 78 and 79

No. 77 - Tuesday, 2 December 1997

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:  

**Colac Health Care Services** - Seeking that the Government will fund and administer the health care services for Colac and surrounding districts agreed to by the Department of Human Services and the Board of Colac Community Health Services, bearing 16 signatures (*by Mr Thwaites*).

Ordered to lie on the Table.
- 4 **PETITION - COLAC HEALTH CARE SERVICES** - Motion made and question - That the petition presented by the Member for Albert Park relating to the Colac Health Care Services be taken into consideration tomorrow (*Mr Thwaites*) - put and agreed to.
- 5 **PAPERS** -  

**SUICIDE PREVENTION TASK FORCE** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Victorian Task Force "Suicide Prevention", July 1997, together with the Victorian Government response (*Mr Kennett*) - put and agreed to.

The said report and Government response was presented by Mr Kennett and ordered to lie on the Table.

**DRUGS AND CRIME PREVENTION COMMITTEE** - Mr Rowe, brought up an Interim Report from the Drugs and Crime Prevention Committee upon the Inquiry into the Victorian Government's Drug Reform Strategy, together with Appendices.

Ordered to lie on the Table and to be printed.

**FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE** - Mr Leigh, Chairman, brought up a Report from the Family and Community Development Committee on Positive Ageing in Victoria together with Minutes of Evidence.

Ordered to lie on the Table and the Report to be printed.

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 12 of 1997 on the -

Land (Reservations and other Matters) Bill  
Accident Compensation (Miscellaneous Amendment) Bill

Epworth Hospital (Amendment) Bill  
 Land Tax (Amendment) Bill  
 Business Franchise Fees (Safety Net) Bill  
 Confiscation Bill  
 Education (State Schools) Bill  
 Guardianship and Administration Board (Amendment) Bill  
 Water Acts (Further Amendment) Bill  
 Gas Safety Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

**PAPERS PURSUANT TO STATUTE -**

Mr Speaker presented -

BLF (De-recognition) Act 1985 - Thirty-seventh Report of the Custodian.

Ordered to be printed.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Albury-Wodonga Development Corporation - Report for the year 1996-97

Auditor-General - Special Report No. 52 - Schools of the Future: Valuing accountability -  
 Ordered to be printed

Australian Barley Board - Reports for the years 1995-96 (two papers) and 1996-97 (two papers)

Caritas Christi Hospice Limited - Report for the year 1996-97

Coastal Management Act 1995 - Endorsed Victorian Coastal Strategy, 1997

Corangamite Regional Hospital Services - Report for the year 1996-97

Fair Trading and Business Affairs - Report of the Office for the year 1996-97 - Ordered to be printed

Financial Management Act 1994 -

Reports of the Minister for Agriculture and Resources that he had received the 1996-97 Annual Report of the Victorian Dried Fruits Board and the 1996 Annual Report of the Veterinary Board of Victoria

Report of the Minister for Conservation and Land Management that she had received the 1996-97 Annual Report of the Trust for Nature

Report of the Minister for Health that he had received the 1996-97 Annual Reports of the -  
 Dunmunkle Health Services  
 Warracknabeal District Hospital

Housing Guarantee Fund Ltd - Report for the year 1996-97

Melbourne City Link Act 1995 - Orders pursuant to section 8(4) increasing and decreasing the Project Area

Mercy Public Hospitals Incorporated - Report for the year 1996-97 (three papers)

Ombudsman and Deputy Ombudsman (Police Complaints) - Report for the year 1996-97 - Ordered to be printed

Physiotherapists Registration Board - Report for the year 1996-97

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

All Planning Schemes - No. SL9  
 Bayside Planning Scheme - No. SL9  
 Berwick Planning Scheme - No. L131  
 Brimbank Planning Scheme - No. L38  
 Chiltern Planning Scheme - No. L30  
 Cranbourne Planning Scheme - Nos. L205, L207  
 Flinders Planning Scheme - No. L163  
 Frankston Planning Scheme - No. L94  
 Hastings Planning Scheme - No. L115  
 Melton Planning Scheme - No. L87  
 Milawa Planning Scheme - No. L20  
 Moreland Planning Scheme - No. L49  
 Pakenham Planning Scheme - No. L156  
 Port of Melbourne Planning Scheme - No. L27  
 Sherbrook Planning Scheme - Nos. L130, L132  
 Whittlesea Planning Scheme - No. L153  
 Yarra Ranges Planning Scheme - Nos. L66, L79, L80

Statutory Rules under the following Acts:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 - S.R. No. 123  
 Education Act 1958 - S.R. No. 122  
 Livestock Disease Control Act 1994 - S.R. No. 125  
 Sentencing Act 1991 - S.R. No. 126  
 Veterinary Surgeons Act 1958 - S.R. No. 124

Stawell District Hospital - Report for the year 1996-97

Subordinate Legislation Act 1994 -

Subordinate Legislation Guidelines under section 26

Ministers' exception certificates in relation to Statutory Rule Nos. 124, 126  
 Ministers' exemption certificates in relation to Statutory Rule Nos. 123, 125

Tattersall's - Report for the year 1996-97

Victorian Arts Centre Trust - Report for the year 1996-97

Wimmera Health Care Group - Report for the year 1996-97.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 14 May 1996:

Construction Industry Long Service Leave Act 1997 - Remaining provisions on 1 December 1997 (*Gazette No. G46, 20 November 1997*)

Electricity Industry (Miscellaneous Amendment) Act 1997 - Sections 20(1), 20(2) and 21(3)(a) on 27 November 1997 (*Gazette No. G47, 27 November 1997*)

Sentencing and Other Acts (Amendment) Act 1997 - Sections 9, 13(2) to (4), 15, 19(2) and (3), 21, 26, 59 and 67 on 20 November 1997 (*Gazette No. G46, 20 November 1997*).

**6 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS - Informing the Assembly that he had given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:**

On 25 November 1997

Disability Services And Other Acts (Amendment) Bill

Health Services (Amendment) Bill  
 Hire-Purchase (Further Amendment) Bill  
 Introduction Agents Bill  
 Local Government (Miscellaneous Amendment) Bill  
 Mental Health (Victorian Institute Of Forensic Mental Health) Bill  
 Podiatrists Registration Bill  
 University Of Ballarat (Amendment) Bill  
 Vocational Education and Training (Training Framework) Bill

On 2 December 1997

Crimes (Amendment) Bill  
 Education (Preschools) Bill  
 Health Services (St Andrew's Hospital) Bill  
 Law And Justice Legislation (Further Amendment) Bill  
 St Andrew's Foundation Bill  
 State Taxation (Amendment) Bill  
 Wildlife (Amendment) Bill  
 Wills Bill.

- 7 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:

Business Franchise Fees (Safety Net) Bill  
 Confiscation Bill  
 Land (Reservations and other Matters) Bill  
 Land Tax (Amendment) Bill.

- 8 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 6.00 p.m., Thursday, 4 December 1997:

Accident Compensation (Miscellaneous Amendment) Bill  
 Land (Reservations and other Matters) Bill  
 Business Franchise Fees (Safety Net) Bill  
 Land Tax (Amendment) Bill  
 Confiscation Bill  
 Epworth Hospital (Amendment) Bill  
 Constitution (Amendment) Bill  
 Snowy Hydro Corporatisation Bill  
 Transport Acts (Amendment) Bill - Amendments of the Legislative Council  
 Education (State Schools) Bill

(*Mr Gude*) - put and agreed to.

- 9 **ACCIDENT COMPENSATION (MISCELLANEOUS AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Stockdale announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

Pursuant to Sessional Orders, Mr Bracks announced that it was proposed to move amendments in Committee 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 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (*Mr Maclellan, Pakenham*) - put and agreed to.

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

And the House having continued to sit after 12 midnight -

WEDNESDAY, 3 DECEMBER 1997

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

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

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Alpine Resorts (Management) Bill without amendment.
- 11 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Honeywood*) - put and agreed to.
- 12 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.  
And the House, at 12.58 a.m., adjourned until later today.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

## No. 78 - Wednesday, 3 December 1997

1 Mr Speaker took the Chair and read the Prayer.

2 **PAPERS -**

**ROYAL COMMISSION INTO ABORIGINAL DEATHS IN CUSTODY** - Motion made, by leave, and question - That there be presented to this House a copy of the Royal Commission into Aboriginal Deaths in Custody, Victorian Government 1996-97 Implementation Report (*Mrs Henderson*) - put and agreed to.

The said report was presented by Mrs Henderson and ordered to lie on the Table.

**HEALTH SERVICES COMMISSIONER** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Health Services Commissioner for the year 1996-97 (*Dr Napthine*) - put and agreed to.

The said report was presented by Dr Napthine and ordered to lie on the Table.

**RESPONSE TO AUDITOR-GENERAL'S REPORTS** - Motion made, by leave, and question - That there be presented to this House a copy of the Response by the Minister for Finance to the Auditor-General's Report on Ministerial Portfolios of May 1997, the Auditor-General's

Report on the Statement of Financial Operations of October 1996 and Special Reports 1996-97 (*Dr Napthine*) - put and agreed to.

The said report was presented by Dr Napthine and ordered to lie on the Table.

**PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr McArthur, brought up a Report from the Public Accounts and Estimates Committee on the 1997-98 Budget Estimates, together with Appendices, an Extract from the Proceedings of the Committee, a Minority Report and Minutes of Evidence.

Ordered to lie on the Table and Report, Appendices, Extract from the Proceedings and Minority Report to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Glenelg Region Water Authority - Report for the year 1996-97

Harness Racing Board - Report for the year 1996-97, together with notification from the Minister for Sport of the failure to submit the annual report and the reasons therefore

Legal Profession Practice Act 1958 - Report of the Lay Observer to the Solicitors' Board and the Barristers' Disciplinary Tribunal for the year 1996

Police Regulation Act 1958 - Report of the Ombudsman on "The Maryborough Police Investigation", November 1997 - Ordered to be printed

Prostitution Control Act 1994 - Final Report of the Ministerial Advisory Committee, July 1997

Public Record Office - Report for the year 1996-97

Statutory Rules under the following Acts:

County Court Act 1958 - S.R. Nos. 127, 128, 129, 130

Magistrates' Court Act 1989 - S.R. No. 131

Subordinate Legislation Act 1994 -

Minister's exception certificates in relation to Statutory Rule Nos. 127, 128, 129, 131.

3 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Legal Practice (Amendment) Bill with amendments.

Ordered - That the said amendments be printed and taken into consideration, by leave, later this day.

4 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Gaming Acts (Miscellaneous Amendment) Bill

Food (Amendment) Bill

Unclaimed Moneys (Amendment) Bill.

5 **ADJOURNMENT MOTION - NURSING HOME FEES** - Mr Thwaites proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

"The announcement of the Federal Family Services Minister, Mr Warwick Smith on 2 December 1997 of an accommodation fee of up to \$4,380 per year to be charged to nursing home residents and its effect on the operation of the 120 state owned and operated nursing homes in Victoria".

Mr Speaker having ascertained that twelve members approved of the proposed discussion -

Motion made and question - That the House do now adjourn (*Mr Thwaites*) - after debate, put.  
The House divided.

AYES, 24

Mr Andrianopoulos	Mr Cunningham	Mr Loney	
Mr Baker	Ms Davies	Mr Micallef	
Mr Batchelor	Ms Gillett	Mr Mildenhall	
Mr Bracks	Mr Hamilton	Mr Pandazopoulos	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Savage	Mr Cameron
Mr Carli	Mr Leighton	Mr Seitz	Mr Langdon
Mr Cole	Mr Lim	Mr Thwaites	Mrs Maddigan

NOES, 52

Mr Andrighetto	Mr John	Mr Perrin	Mrs Tehan
Mr Ashley	Mr Lean	Mr Perton	Mr Thompson
Mr Clark	Mr Leigh	Mrs Peulich	Mr Traynor
Mr Coleman	Mr Lupton	Mr Phillips	Mr Treasure
Mr Cooper	Ms McCall	Mr Plowman	Mrs Wade
Dr Dean	Mrs McGill	( <i>Benambra</i> )	Mr Wells
Mr Dixon	Mr McGrath	Mr Reynolds	
Mr Doyle	( <i>Wimmera</i> )	Mr Richardson	
Mr Elder	Mr McLellan	Mr Rowe	
Mrs Elliott	( <i>Frankston East</i> )	Mr Ryan	
Mr Finn	Mr McNamara	Mrs Shardey	
Mr Gude	Mr MacLellan	Mr Smith	<i>Tellers</i>
Mrs Henderson	( <i>Pakenham</i> )	( <i>Polwarth</i> )	Ms Burke
Mr Honeywood	Mr Maughan	Mr Spry	Mr Kilgour
Mr Jasper	Dr Napthine	Mr Steggall	Mr Smith
Mr Jenkins	Mr Paterson	Mr Stockdale	( <i>Glen Waverley</i> )

And so it passed in the negative.

- 6 **STATE SPORTING FACILITIES** - Motion made and question proposed - That this House congratulates the Government and Minister for Sport for the continuing foresight and initiative shown in ensuring that State sporting facilities are of a suitable standard to capitalise on acclimatisation and training of our own and overseas athletes in preparation for the 2000 Sydney Olympic Games, and to successfully attract and conduct major sporting events which will further showcase Melbourne and maintain its status as the sporting capital (*Mr Lupton*).

*General Business having been interrupted at 2.00 p.m.  
pursuant to Sessional Orders.*

- 7 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 8 **VALUATION OF LAND (AMENDMENT) BILL** - Mrs Tehan obtained leave, with Mr McNamara, to bring in a Bill "*to amend the Valuation of Land Act 1960 to provide for municipal councils to make biennial valuations of land and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **ACCIDENT COMPENSATION (MISCELLANEOUS AMENDMENT) BILL** - 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 Cole*) - put and agreed to.  
Ordered - That the debate be adjourned until later this day.

- 10 **LAND (RESERVATIONS AND OTHER MATTERS) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until - (a) a system of public consultation is put into place to consider all proposals to revoke permanent reservations of Crown lands and to sell Crown land; and (b) public consultation has taken place with the Albert Park community about changes to the Master Plan regarding the land to be granted to MacRobertson Girls' High School, the golf course and the future of a passive recreation area designated as the 'Village Green Picnic Area'" (*Ms Garbutt*) - and, after debate -

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

The House divided.

AYES, 54

Mr Andrighetto	Mr John	Dr Napthine	Mr Spry
Mr Ashley	Mr Kennett	Mr Paterson	Mr Steggall
Mr Clark	Mr Lean	Mr Perrin	Mr Stockdale
Mr Coleman	Mr Leigh	Mr Perton	Mrs Tehan
Mr Cooper	Mr Lupton	Mrs Peulich	Mr Traynor
Dr Dean	Mr McArthur	Mr Phillips	Mr Treasure
Mr Dixon	Ms McCall	Mr Plowman	Mrs Wade
Mr Doyle	Mrs McGill	( <i>Benambra</i> )	Mr Wells
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	( <i>Wimmera</i> )	Mr Richardson	<i>Tellers</i>
Mr Finn	Mr McLellan	Mr Rowe	Ms Burke
Mr Gude	( <i>Frankston East</i> )	Mr Ryan	Mr Kilgour
Mrs Henderson	Mr McNamara	Mr Savage	Mr Smith
Mr Honeywood	Mr Maclellan	Mrs Shardey	( <i>Glen Waverley</i> )
Mr Jasper	( <i>Pakenham</i> )	Mr Smith	
Mr Jenkins	Mr Maughan	( <i>Polwarth</i> )	

NOES, 25

Mr Andrianopoulos	Mr Cole	Ms Kosky	Mr Thwaites
Mr Baker	Mr Cunningham	Mr Leighton	
Mr Batchelor	Ms Davies	Mr Lim	<i>Tellers</i>
Mr Bracks	Ms Garbutt	Mr Loney	Mr Cameron
Mr Brumby	Ms Gillett	Mr Micallef	Mr Langdon
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Mrs Maddigan
Mr Carli	Mr Hulls	Mr Seitz	

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 11 **BUSINESS FRANCHISE FEES (SAFETY NET) BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

12 **LAND TAX (AMENDMENT) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until the amendments promised by the Treasurer in his second reading speech to guarantee the exemption on a principal place of residence and other matters related to small business have been assessed and amendments prepared" (*Mr Bracks*) - and, after debate -

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

The House divided.

AYES, 55

Mr Andrighetto	Mr John	Mr Paterson	Mr Stockdale
Mr Ashley	Mr Kennett	Mr Perrin	Mrs Tehan
Mr Clark	Mr Lean	Mr Perton	Mr Traynor
Mr Coleman	Mr Leigh	Mrs Peulich	Mr Treasure
Mr Cooper	Mr Lupton	Mr Phillips	Mrs Wade
Ms Davies	Mr McArthur	Mr Plowman	Mr Wells
Dr Dean	Ms McCall	( <i>Benambra</i> )	
Mr Dixon	Mrs McGill	Mr Reynolds	
Mr Doyle	Mr McGrath	Mr Richardson	
Mr Elder	( <i>Wimmera</i> )	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	( <i>Frankston East</i> )	Mr Savage	
Mr Gude	Mr McNamara	Mrs Shardey	<i>Tellers</i>
Mrs Henderson	Mr Maclellan	Mr Smith	Ms Burke
Mr Honeywood	( <i>Pakenham</i> )	( <i>Polwarth</i> )	Mr Kilgour
Mr Jasper	Mr Maughan	Mr Spry	Mr Smith
Mr Jenkins	Dr Napthine	Mr Steggall	( <i>Glen Waverley</i> )

NOES, 18

Mr Batchelor	Ms Garbutt	Mr Leighton	<i>Tellers</i>
Mr Bracks	Ms Gillett	Mr Lim	Mr Cunningham
Mr Brumby	Mr Haermeyer	Mr Loney	Mrs Maddigan
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Mr Pandazopoulos
Mr Cole	Mr Hulls	Mr Seitz	

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

13 **CONFISCATION BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until the Government ensures that there are appropriate safeguards in the legislation which will - (a) preclude innocent persons having their property forfeited by the State; and (b) address the issue of the proceeds from substantial corporate crime" (*Mr Hulls*) - and, after debate -

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

The House divided.

AYES, 55

Mr Andrighetto	Mr John	Mr Perrin	Mrs Tehan
Mr Ashley	Mr Lean	Mr Perton	Mr Thompson
Mr Clark	Mr Leigh	Mrs Peulich	Mr Traynor
Mr Coleman	Mr Lupton	Mr Phillips	Mr Treasure
Mr Cooper	Mr McArthur	Mr Plowman	Mrs Wade
Ms Davies	Ms McCall	(Benambra)	Mr Wells
Dr Dean	Mrs McGill	Mr Reynolds	
Mr Dixon	Mr McGrath	Mr Richardson	
Mr Doyle	(Wimmera)	Mr Rowe	
Mr Elder	Mr McLellan	Mr Ryan	
Mrs Elliott	(Frankston East)	Mr Savage	
Mr Finn	Mr McNamara	Mrs Shardey	
Mr Gude	Mr Maclellan	Mr Smith	Tellers
Mrs Henderson	(Pakenham)	(Polwarth)	Ms Burke
Mr Honeywood	Mr Maughan	Mr Spry	Mr Kilgour
Mr Jasper	Dr Napthine	Mr Steggall	Mr Smith
Mr Jenkins	Mr Paterson	Mr Stockdale	(Glen Waverley)

NOES, 23

Mr Andrianopoulos	Ms Garbutt	Mr Lim	
Mr Batchelor	Ms Gillett	Mr Loney	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mr Brumby	Mr Hamilton	Mr Pandazopoulos	Tellers
Mrs Campbell	Mr Hulls	Mr Seitz	Mr Cameron
Mr Carli	Ms Kosky	Mr Thwaites	Mr Cunningham
Mr Cole	Mr Leighton		Mrs Maddigan

And so it was resolved in the affirmative.

*Business having been interrupted at 10.00 p.m.  
pursuant to Sessional Orders.*

Motion made and question - That the sitting be continued (Mrs Wade) - put and agreed to.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 14 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Residential Tenancies Bill  
Gas Safety Bill

- 15 **EPWORTH HOSPITAL (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Mr Deputy Speaker 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 (*Dr Naphthine*) - put and agreed to.

Pursuant to Sessional Orders, Dr Naphthine announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment circulated.

Debate resumed on question - That this Bill be now read a second time; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read a third time.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 16 **ACCIDENT COMPENSATION (MISCELLANEOUS AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Stockdale announced that it was proposed to move a further amendment in Committee and requested that it be circulated. Amendment circulated.

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

Ordered - That the debate be adjourned until tomorrow.

- 17 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Dr Naphthine*) - put and agreed to.

- 18 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.

And the House, at 11.31 p.m., adjourned until tomorrow.

P. J. MITHEN

*Clerk of the Legislative Assembly*

S. J. PLOWMAN

*Speaker*

## No. 79 - Thursday, 4 December 1997

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

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

**WorkCover** - Seeking that the House reject the proposed changes to WorkCover, bearing 65 and 89 signatures (*by Mr Brumby and Mr Lim respectively*)

**Secondary School Bus Service - Ballarat** - Seeking that the Government provide a secondary school bus service from Dales Creek, Greendale and Greendale View Estate, to Ballarat and home again, bearing 304 signatures (*by Mr Traynor*)

**In Home Accommodation Support Program** - Seeking that the Government expands the In Home Accommodation Support Program to a level which meets the needs of people with disabilities and to enable all people waiting for the scheme to be approved immediately, bearing 1,684 signatures (*by Mr Clark*)

**Auditor-General** - Seeking that - (a) the Auditor-General have the sole power to carry out, without fear or favour, the external audit on all agencies which are owned by, controlled by or substantially responsible to government; and (b) the Government immediately abandon its attempts to reduce the powers of the Auditor-General, bearing 22 signatures (by Mrs Maddigan)

**Colac Health Care Services** - Seeking that the Government fund and administer the health care services for Colac and surrounding districts agreed to by the Department of Human Services and the Board of Colac Community Health Services, bearing 12, 9 and 5,261 signatures (by Mr Loney, Mr Savage and Mr Smith (Polwarth) respectively)

**Auditor-General's Office** - Seeking that the present powers and responsibilities of the Office of the Auditor-General, as enshrined in the Audit Act, be preserved and that proposals to change this Act be abandoned, bearing 873 signatures (by Mr Smith, Glen Waverley)

Severally ordered to lie on the Table.

- 3 **PETITION - COLAC HEALTH CARE SERVICES** - Motion made and question - That the petition presented by the Member for Mildura relating to the Colac Health Care Services be taken into consideration tomorrow (Mr Savage) - put and agreed to.

4 **PAPERS** -

**MILDURA RURAL CITY COUNCIL** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Inquiry into the Mildura Rural City Council (Mr Maclellan, Pakenham) - put and agreed to.

The said report was presented by Mr Maclellan, (Pakenham) and ordered to lie on the Table and to be printed.

**REPORT OF THE PRESIDING OFFICERS** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Presiding Officers for the period October 1996 to September 1997 (Mr McGrath, Warrnambool) - put and agreed to.

The said report was presented by Mr McGrath, (Warrnambool) and ordered to lie on the Table.

**LAW REFORM COMMITTEE** - Mr Loney brought up a Report from the Law Reform Committee upon the Inquiry into Jury Service in Victoria, Volumes 2 and 3, together with Appendices.

Ordered to lie on the Table and to be printed.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Auditor-General - Special Report No. 53 - Victoria's multi-agency approach to emergency services: A focus on public safety - Ordered to be printed

Freedom of Information Act 1982 - Report of the Attorney-General on the operation of the Act for the year 1996-97

Melbourne City Link Act 1995 - Orders pursuant to section 8(4) increasing and decreasing the Project Area

Members of Parliament (Register of Interests) Act 1978 - Summary of Variations Notified between 1 October 1997 and 3 December 1997 - Ordered to be printed

Royal Botanic Gardens Board - Report for the year 1996-97 (two papers).

- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified in writing to each member of the House (*Mr Maclellan, Pakenham*) - put and agreed to.
- 6 **EDUCATION (STATE SCHOOLS) BILL** - 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 place thereof the words "this House refuses to read this Bill a second time until both the outcome of proceeding known as **Stuart Bacon and ors v State of Victoria (Department of Education)** (Number 6991 of 1997) in the Supreme Court of Victoria, and the draft regulations proposed under the legislation are tabled in this House" (*Mr Mildenhall*) - and, after debate -

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

The House divided.

AYES, 48

Mr Andrighetto	Mr Lean	Mr Perton	Mr Thompson
Mr Ashley	Mr Lupton	Mrs Peulich	Mr Traynor
Mr Clark	Mr McArthur	Mr Phillips	Mr Treasure
Mr Coleman	Ms McCall	Mr Plowman	Mrs Wade
Mr Cooper	Mr McGrath	( <i>Benambra</i> )	Mr Wells
Dr Dean	( <i>Wimmera</i> )	Mr Reynolds	
Mr Dixon	Mr McLellan	Mr Richardson	
Mr Doyle	( <i>Frankston East</i> )	Mr Rowe	
Mr Elder	Mr McNamara	Mr Ryan	
Mr Finn	Mr Maclellan	Mrs Shardey	
Mr Gude	( <i>Pakenham</i> )	Mr Smith	<i>Tellers</i>
Mrs Henderson	Mr Maughan	( <i>Polwarth</i> )	Ms Burke
Mr Jasper	Dr Naphthine	Mr Spry	Mr Kilgour
Mr Jenkins	Mr Paterson	Mr Stockdale	Mr Smith
Mr John	Mr Perrin	Mrs Tehan	( <i>Glen Waverley</i> )

NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mr Lim	
Mr Baker	Ms Davies	Mr Loney	
Mr Batchelor	Ms Garbutt	Mr Micallef	
Mr Bracks	Ms Gillett	Mr Mildenhall	
Mr Brumby	Mr Hamilton	Mr Pandazopoulos	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Savage	Mr Cameron
Mr Carli	Ms Kosky	Mr Seitz	Mr Langdon
Mr Cole	Mr Leighton	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

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

The House divided.

AYES, 48

Mr Andrighetto	Mr John	Mr Paterson	Mr Spry
Mr Ashley	Mr Lean	Mr Perrin	Mr Stockdale
Mr Clark	Mr Lupton	Mr Perton	Mrs Tehan
Mr Coleman	Mr McArthur	Mrs Peulich	Mr Thompson
Mr Cooper	Ms McCall	Mr Phillips	Mr Traynor
Dr Dean	Mr McGrath	Mr Plowman	Mr Treasure
Mr Dixon	(Wimmera)	(Benambra)	Mrs Wade
Mr Doyle	Mr McLellan	Mr Reynolds	Mr Wells
Mr Elder	(Frankston East)	Mr Richardson	
Mr Finn	Mr McNamara	Mr Rowe	<i>Tellers</i>
Mr Gude	Mr Maclellan	Mr Ryan	Ms Burke
Mrs Henderson	(Pakenham)	Mrs Shardey	Mr Kilgour
Mr Jasper	Mr Maughan	Mr Smith	Mr Smith
Mr Jenkins	Dr Napthine	(Polwarth)	(Glen Waverley)

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Ms Davies	Mr Lim	
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	<i>Tellers</i>
Mr Brumby	Mr Haermeyer	Mr Mildenhall	Mr Cameron
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Langdon
Mr Carli	Mr Hulls	Mr Savage	Mrs Maddigan
Mr Cole	Ms Kosky	Mr Seitz	

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

7 **QUESTIONS** - (Pursuant to Standing Order No. 124).

8 **CONSTITUTION (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

9 **SNOWY HYDRO CORPORATISATION BILL** - 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, read a third time forthwith.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Gas Industry (Further Amendment) Bill without amendment.

- 11 **TRANSPORT ACTS (AMENDMENT) BILL** - Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and agreed to by the House with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 12 **LEGAL PRACTICE (AMENDMENT) BILL** - Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

- 13 **ACCIDENT COMPENSATION (MISCELLANEOUS AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Question - put.

The House divided.

AYES, 52

Mr Andrighetto	Mr Kennett	Dr Napthine	Mr Stockdale
Mr Ashley	Mr Lean	Mr Paterson	Mrs Tehan
Mr Clark	Mr Lupton	Mr Perrin	Mr Thompson
Mr Coleman	Mr McArthur	Mr Perton	Mr Traynor
Mr Cooper	Ms McCall	Mrs Peulich	Mr Treasure
Dr Dean	Mrs McGill	Mr Phillips	Mrs Wade
Mr Dixon	Mr McGrath	Mr Plowman	Mr Wells
Mr Doyle	(Warrnambool)	(Beniambra)	
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(Wimmera)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(Frankston East)	Mr Ryan	Tellers
Mr Honeywood	Mr McNamara	Mrs Shardey	Ms Burke
Mr Jasper	Mr Maclellan	Mr Smith	Mr Smith
Mr Jenkins	(Pakenham)	(Polwarthi)	(Glen Waverley)
Mr John	Mr Maughan	Mr Steggall	Mr Spry

NOES, 26

Mr Andrianopoulos	Mr Cunningham	Ms Kosky	Mr Seitz
Mr Baker	Ms Davies	Mr Leighton	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	Tellers
Mr Brumby	Mr Haermeyer	Mr Mildenhall	Mr Cameron
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Langdon
Mr Carli	Mr Hulls	Mr Savage	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee.

*Allocation of time allotted for consideration of Bills pursuant to Resolution of House on Tuesday, 2 December 1997 expired.*

Bill reported with amendments.

Question - That the House agree to the amendments made by the Committee - put.

The House divided.

AYES, 53

Mr Andrighetto	Mr John	Mr Maughan	Mr Steggall
Mr Ashley	Mr Kennett	Dr Napthine	Mr Stockdale
Mr Clark	Mr Lean	Mr Paterson	Mrs Tehan
Mr Coleman	Mr Lupton	Mr Perrin	Mr Thompson
Mr Cooper	Mr McArthur	Mr Perton	Mr Traynor
Dr Dean	Ms McCall	Mrs Peulich	Mr Treasure
Mr Dixon	Mrs McGill	Mr Phillips	Mrs Wade
Mr Doyle	Mr McGrath	Mr Plowman	Mr Wells
Mr Elder	(Warrnambool)	(Benambra)	
Mrs Elliott	Mr McGrath	Mr Reynolds	
Mr Finn	(Wimmera)	Mr Richardson	<i>Tellers</i>
Mr Gude	Mr McLellan	Mr Rowe	Ms Burke
Mrs Henderson	(Frankston East)	Mr Ryan	Mr Smith
Mr Honeywood	Mr McNamara	Mrs Shardey	(Glen Waverley)
Mr Jasper	Mr Maclellan	Mr Smith	Mr Spry
Mr Jenkins	(Pakenham)	(Polwarth)	

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Ms Davies	Mr Lim	
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Cameron
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Mr Cole	Ms Kosky	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Question - That this Bill be now read a third time - put.

The House divided.

AYES, 53

Mr Andrighetto	Mr John	Mr Maughan	Mr Steggall
Mr Ashley	Mr Kennett	Dr Napthine	Mr Stockdale
Mr Clark	Mr Lean	Mr Paterson	Mrs Tehan
Mr Coleman	Mr Lupton	Mr Perrin	Mr Thompson
Mr Cooper	Mr McArthur	Mr Perton	Mr Traynor
Dr Dean	Ms McCall	Mrs Peulich	Mr Treasure
Mr Dixon	Mrs McGill	Mr Phillips	Mrs Wade
Mr Doyle	Mr McGrath	Mr Plowman	Mr Wells
Mr Elder	(Warrnambool)	(Benambra)	
Mrs Elliott	Mr McGrath	Mr Reynolds	
Mr Finn	(Wimmera)	Mr Richardson	
Mr Gude	Mr McLellan	Mr Rowe	<i>Tellers</i>
Mrs Henderson	(Frankston East)	Mr Ryan	Ms Burke
Mr Honeywood	Mr McNamara	Mrs Shardey	Mr Smith
Mr Jasper	Mr Maclellan	Mr Smith	(Glen Waverley)
Mr Jenkins	(Pakenham)	(Polwarth)	Mr Spry

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Ms Davies	Mr Lim	
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Cameron
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Mr Cole	Ms Kosky	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Bill read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Question - That this Bill be transmitted to the Legislative Council and their concurrence desired therein - put.

The House divided.

AYES, 54

Mr Andrighetto	Mr John	Mr Maughan	Mr Spry
Mr Ashley	Mr Kennett	Dr Napthine	Mr Steggall
Mr Clark	Mr Lean	Mr Paterson	Mr Stockdale
Mr Coleman	Mr Lupton	Mr Perrin	Mrs Tehan
Mr Cooper	Mr McArthur	Mr Perton	Mr Thompson
Dr Dean	Ms McCall	Mrs Peulich	Mr Traynor
Mr Dixon	Mrs McGill	Mr Phillips	Mr Treasure
Mr Doyle	Mr McGrath	Mr Plowman	Mrs Wade
Mr Elder	(Warrnambool)	(Benambra)	Mr Wells
Mrs Elliott	Mr McGrath	Mr Reynolds	
Mr Finn	(Wimmera)	Mr Richardson	
Mr Gude	Mr McLellan	Mr Rowe	Tellers
Mrs Henderson	(Frankston East)	Mr Ryan	Ms Burke
Mr Honeywood	Mr McNamara	Mrs Shardey	Mr Kilgour
Mr Jasper	Mr Maclellan	Mr Smith	Mr Smith
Mr Jenkins	(Pakenham)	(Polwarth)	(Glen Waverley)

\*NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Ms Davies	Mr Lim	
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Cameron
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Mr Cole	Ms Kosky	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

#### 14 PAPERS -

**LEANNE POWER PTY LTD** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of Leanne Power Pty Ltd for the period ended 8 May 1997 (*Mr Stockdale*) - put and agreed to.

The said report was presented by Mr Stockdale and ordered to lie on the Table.

**PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Australian Food Industry Science Centre - Report for the year 1996-97

Statutory Rules under the following Acts:

Crimes (Confiscation of Profits) Act 1986 - S.R. No. 132

\* Mr Clark was recorded as having voted with both the ayes and the noes. The noe vote should have recorded Mr Carli as having voted noe. Mr Speaker directed that the record be corrected to accurately reflect the vote.

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Lotteries Gaming and Betting Act 1966 - S.R. No. 136  
Magistrates' Court Act 1989 - S.R. No. 133  
Physiotherapists Act 1978 - S.R. No. 135  
Wildlife Act 1975 - S.R. No. 134

Subordinate Legislation Act 1994 -

Minister's exception certificate in relation to Statutory Rule No. 133  
Minister's exemption certificate in relation to Statutory Rule No. 132.

- 15 **VALUATION OF LAND (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 18 December 1997.
- 16 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Kennett*) - put and agreed to.
- 17 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 8.03 p.m., adjourned until a day and hour to be fixed by Mr. Speaker, which time of meeting shall be notified in writing to each Member of the House.

P. J. MITHEN  
*Clerk of the Legislative Assembly*

S. J. PLOWMAN  
*Speaker*

**SESSION 1996-98**  
**MESSAGES RECEIVED AFTER THE ADJOURNMENT OF**  
**THE HOUSE ON 4 DECEMBER 1997**

**MESSAGES FROM THE LEGISLATIVE COUNCIL**

Agreeing to the following Bills without amendment:-

On 4 December 1997 -

Water Acts (Further Amendment) Bill  
 Planning and Environment (Amendment) Bill  
 Rail Corporations (Amendment) Bill

On 10 December 1997 -

Education (State Schools) Bill  
 Epworth Hospital (Amendment) Bill  
 Land (Reservations and Other Matters) Bill  
 Audit (Amendment) Bill  
 Snowy Hydro Corporatisation Bill  
 Constitution (Amendment) Bill  
 Business Franchise Fees (Safety Net) Bill  
 Land Tax (Amendment) Bill  
 Confiscation Bill

On 12 December 1997 -

Accident Compensation (Miscellaneous Amendment) Bill

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**MESSAGES FROM HIS EXCELLENCY THE GOVERNOR**

Informing the Assembly that he had given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:-

On 9 December 1997

Alpine Resorts (Management) Bill  
 Gaming Acts (Miscellaneous Amendment) Bill  
 Gas Industry (Further Amendment) Bill  
 Unclaimed Moneys (Amendment) Bill

On 16 December 1997

Audit (Amendment) Bill  
 Business Franchise Fees (Safety Net) Bill  
 Constitution (Amendment) Bill  
 Education (State Schools) Bill  
 Epworth Hospital (Amendment) Bill  
 Food (Amendment) Bill  
 Gas Safety Bill  
 Land (Reservations and other Matters) Bill  
 Land Tax (Amendment) Bill

Legal Practice (Amendment) Bill  
Planning and Environment (Amendment) Bill  
Rail Corporations (Amendment) Bill  
Snowy Hydro Corporatisation Bill  
Transport Acts (Amendment) Bill

On 23 December 1997

Accident Compensation (Miscellaneous Amendment) Bill  
Confiscation Bill  
Residential Tenancies Bill  
Water Acts (Further Amendment) Bill



# Victoria Government Gazette

No. G 3 Thursday 22 January 1998

**GENERAL**

PROROGUING PARLIAMENT AND  
FIXING THE TIME FOR HOLDING  
SECOND SESSION OF THE FIFTY-THIRD  
PARLIAMENT OF VICTORIA

Proclamation

The Parliament of Victoria, being adjourned until the day and hour fixed by the President of the Legislative Council and the Speaker of the Legislative Assembly respectively, I, James Gobbo, Governor of the State of Victoria, acting under section 8 of the **Constitution Act 1975** and all other powers vested in me, **PROROGUE** the Parliament until Tuesday, 17 February 1998, and **FIX** Tuesday, 17 February 1998 at 2.30 pm as the time for the commencement and holding of the next session of Parliament, for the despatch of business, in the Parliament Houses, situated in Spring Street, Melbourne.

The Honourable the Members of the Legislative Council and the Members of the Legislative Assembly are required to give their attendance at that time and place.

Given under my hand and the seal of  
Victoria on 20 January 1998.

(L.S.) JAMES GOBBO  
Governor  
By His Excellency's Command

J. G. KENNETT  
Premier

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**COMMITTEES**

**SESSION 1996-98**

**COMMUNITY DEVELOPMENT (JOINT)**

*(Assembly Members appointed 14 May 1996 unless otherwise indicated)*

Mrs Campbell  
Mr Finn  
Mr Leigh  
Mrs Peulich  
Mr Seitz

**DRUGS AND CRIME PREVENTION (JOINT)**

*(Assembly Members appointed 14 May 1996 unless otherwise indicated)*

Mr Haermeyer  
Mr Kilgour  
Mr Lupton *(Appointed 16 September 1997)*  
Mr Micallef  
Mr Rowe  
Mr Traynor *(Discharged 16 September 1997)*  
Mrs Wilson

**ECONOMIC DEVELOPMENT (JOINT)**

*(Assembly Members appointed 14 May 1996 unless otherwise indicated)*

Mr Batchelor  
Mr Jenkins  
Mr Leighton  
Mr Lim  
Mrs McGill  
Mr Treasure

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)**

*(Assembly Members appointed 14 May 1996 unless otherwise indicated)*

Ms Garbutt  
Mr Lupton *(Discharged 16 September 1997)*  
Mrs Maddigan  
Mr Pandazopoulos  
Mr Perrin  
Mrs Shardey *(Appointed 16 September 1997)*  
Mr Spry

**FEDERAL-STATE RELATIONS (JOINT)**

*(Assembly Members appointed 28 May 1996 unless otherwise indicated)*

Mr Andrianopoulos  
Ms Burke  
Mr Dollis (*Appointed 3 April 1997*)  
Mr Jasper  
Mr John  
Ms Kosky  
Mr Mildenhall (*Discharged 3 April 1997*)

**HOUSE (JOINT)**

*(Assembly Members appointed 15 May 1996 unless otherwise indicated)*

Mr Speaker (*ex-officio*)  
Mr Dollis (*Discharged 3 April 1997*)  
Mr Jenkins  
Mr Leigh  
Mr McGrath (*Warrnambool*)  
Mr Milenhall (*Appointed 3 April 1997*)  
Mrs Wilson

**LAW REFORM (JOINT)**

*(Assembly Members appointed 14 May 1996 unless otherwise indicated)*

Mr Andrighetto  
Mr Cole  
Mr Loney  
Mr Maughan  
Mr Patterson  
Mr Perton  
Mr Thwaites

**LIBRARY (JOINT)**

*(Assembly Members appointed 15 May 1996 unless otherwise indicated)*

Mr Speaker  
Mr Carli  
Mrs Maddigan  
Mrs Peulich  
Mr Treasure

**PRIVILEGES**

*(Assembly Members appointed 14 May 1996 unless otherwise indicated)*

Mr Cooper  
Mr Hulls  
Mr Maclellan (*Pakenham*)  
Mr Micallef  
Mr Perton  
Mr Ryan  
Mr Sheehan  
Mr Smith (*Glen Waverley*)  
Mr Thwaites

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)**

*(Assembly Members appointed 14 May 1996 unless otherwise indicated)*

Mr Bracks  
Mr Hulls  
Mr McArthur  
Mr Sheehan  
Mr Steggall (*Discharged 30 October 1996*)  
Mr Wells

**ROAD SAFETY (JOINT)**

*(Assembly Members appointed 14 May 1996 unless otherwise indicated)*

Mr Baker  
Mr Cunningham  
Mr Langdon  
Mr McLellan (*Frankston East*)  
Mr Richardson

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)**

*(Assembly Members appointed 14 May 1996 unless otherwise indicated)*

Mr Cameron  
Mr Carli  
Ms Gillett  
Mr Plowman (*Benambra*)  
Mr Ryan  
Mr Thompson (*Sandringham*)

**STANDING ORDERS**

*(Assembly Members appointed 14 May 1996 unless otherwise indicated)*

Mr Speaker  
Mr Baker  
Mr Batchelor  
Mr Cunningham  
Mr Jasper  
Mr Leigh  
Mr Richardson

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LEGISLATIVE ASSEMBLY OF VICTORIA  
DIVISIONS IN COMMITTEE OF THE WHOLE

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No. 1

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Thursday, 6 June 1996

No. 1 ELECTRICITY INDUSTRY (AMENDMENT) BILL - Clause 10.

10. *Section 53 substituted*

For section 53 of the Principal Act substitute-

**"53. Directions**

- (1) The Treasurer and the Minister, acting jointly, may from time to time, by written notice to the Administrator, give such directions to the Administrator as the Treasurer or Minister think fit.
- (2) The Administrator must comply with a direction given under this section but an act or decision of the Administrator is not invalid merely because of a failure to comply with such a direction.
- (3) The Administrator must keep a copy of each direction given under this section available for inspection at the office of the Administrator during business hours, other than any direction, or part of a direction, that the Treasurer and the Minister have declared to be confidential.
- (4) The administrator must include in the annual report of SEC under part 7 of the **Financial Management Act 1994** a brief summary, in a form approved by the Treasurer, of each direction given to the Administrator under this section, together with a statement of the Administrator's response to the direction.
- (5) A notice containing a direction given under this section is an exempt document for the purposes of the **Freedom of Information Act 1982**."

- (Mr Stockdale)

Amendment proposed - That in proposed new section 53(3) omit ", other than any direction, or part of a direction, that the Treasurer and the Minister have declared to be confidential".

- (Mr Loney)

Question - That the expression proposed to be omitted stand part of the clause - put.

Committee divided.

(Chairman - Mr Richardson)

AYES, 52

Mr Ashley	Mr Kilgour	Mr Perton	Mr Steggall
Mr Brown	Mr Lean	Mr Pescott	Mr Stockdale
Mr Clark	Mr Leigh	Mrs Peulich	Mrs Tehan
Mr Coleman	Mr Lupton	Mr Phillips	Mr Thompson
Mr Cooper	Mr McArthur	Mr Plowman	Mr Traynor
Dr Dean	Ms McCall	(Benambra)	Mr Treasure
Mr Dixon	Mrs McGill	Mr Reynolds	Mrs Wade
Mr Elder	Mr McGrath	Mr Rowe	Mr Wells
Mrs Elliott	(Wimmera)	Mr Ryan	
Mr Finn	Mr McNamara	Mr Savage	
Mr Gude	Mr Maclellan	Ms Shardey	<i>Tellers</i>
Mrs Henderson	(Pakenham)	Mr Smith	Mr Andrighetto
Mr Jasper	Dr Napthine	(Glen Waverley)	Ms Burke
Mr Jenkins	Mr Paterson	Mr Smith	
Mr John	Mr Perrin	(Polwarth)	
Mr Kennett		Mr Spry	

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Lim	Mr Thwaites
Mr Baker	Mr Dollis	Mr Loney	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mrs Maddigan	
Mr Bracks	Mr Haermeyer	Mr Micallef	<i>Tellers</i>
Mr Brumby	Mr Hamilton	Mr Mildenhall	Mr Cameron
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Ms Kosky
Mr Carli	Mr Langdon	Mr Seitz	
Mr Cole	Mr Leighton	Mr Sheehan	

And so it was resolved in the affirmative.

No. 2 Clause 10

Amendment proposed - That proposed new sub-section 53(5) be omitted.

- (Mr Loney)

Question - That sub-clause (5) proposed to be omitted stand part of the clause - put.

Committee divided.

(Chairman - Mr Richardson)

AYES, 52

Mr Andrighetto	Mr Kennett	Mr Perrin	Mr Steggall
Mr Ashley	Mr Kilgour	Mr Pescott	Mr Stockdale
Mr Brown	Mr Lean	Mrs Peulich	Mrs Tehan
Ms Burke	Mr Leigh	Mr Phillips	Mr Thompson
Mr Clark	Mr Lupton	Mr Plowman	Mr Traynor
Mr Coleman	Mr McArthur	(Benambra)	Mr Treasure
Mr Cooper	Mrs McGill	Mr Reynolds	Mrs Wade
Dr Dean	Mr McGrath	Mr Rowe	Mr Wells
Mr Elder	(Wimmera)	Mr Ryan	
Mrs Elliott	Mr McLellan	Mr Savage	
Mr Finn	(Frankston East)	Ms Shardey	Tellers
Mr Gude	Mr McNamara	Mr Smith	Mr Dixon
Mrs Henderson	Mr Maclellan	(Glen Waverley)	Ms McCall
Mr Jasper	(Pakenham)	Mr Smith	
Mr Jenkins	Dr Napthine	(Polwarth)	
Mr John	Mr Paterson	Mr Spry	

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Mr Dollis	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Mr Haermeyer	Mr Micallef	Tellers
Mr Brumby	Mr Hamilton	Mr Mildenhall	Mrs Campbell
Mr Cameron	Mr Hulls	Mr Pandazopoulos	Mrs Maddigan
Mr Carli	Ms Kosky	Mr Seitz	
Mr Cole	Mr Langdon	Mr Sheehan	

And so it was resolved in the affirmative.

### No. 3 Clause 16

#### 16. Amendment of section 173

- (1) In section 173 of the Principal Act, for sub-section (5) substitute-

“(5) A person, not being a licensee, does not hold a prohibited interest within the meaning of sub-section (3) because the person has a controlling interest in 2 or more licensees or a substantial interest in 3 or more licensees if-

- (a) the Office is satisfied that each such interest is held only as a passive institutional investment; and
- (b) the Office determines in writing that the person does not hold a prohibited interest.

(5A) The Office may make a determination under sub-section (5) with effect from 1 March 1996, or such later date as is specified in the determination, in relation to the holding of an interest before the commencement of section 16 of the **Electricity Industry (Amendment) Act 1996**.”

- (2) In section 173(6) of the Principal Act, for "sub-section (7)(a)" substitute "sub-section (5)(a)".

- (Mr Stockdale)

Amendment proposed - That sub-clause (1) be omitted

- (Mr Loney)

Question - That the sub-clause proposed to be omitted stand part of the clause - put.

Committee divided.

(Chairman - Mr Richardson)

AYES, 52

Mr Ashley	Mr Kennett	Mr Perrin	Mr Steggall
Mr Brown	Mr Kilgour	Mr Perton	Mr Stockdale
Ms Burke	Mr Leigh	Mr Pescott	Mrs Tehan
Mr Clark	Mr Lupton	Mrs Peulich	Mr Thompson
Mr Coleman	Mr McArthur	Mr Phillips	Mr Traynor
Mr Cooper	Ms McCall	Mr Plowman	Mr Treasure
Dr Dean	Mr McGrath	(Benambra)	Mrs Wade
Mr Dixon	(Wimmera)	Mr Reynolds	Mr Wells
Mr Elder	Mr McLellan	Mr Rowe	
Mrs Elliott	(Frankston East)	Mr Ryan	Tellers
Mr Finn	Mr McNamara	Ms Shardey	Mr Lean
Mrs Henderson	Mr Maclellan	Mr Smith	Mrs McGill
Mr Honeywood	(Pakenham)	(Glen Waverley)	
Mr Jasper	Mr Maughan	Mr Smith	
Mr Jenkins	Dr Napthine	(Polwarth)	
Mr John	Mr Paterson	Mr Spry	

NOES, 29

Mr Andrianopoulos	Mr Dollis	Mr Lim	Mr Sheehan
Mr Baker	Ms Garbutt	Mr Loney	Mr Thwaites
Mr Batchelor	Mr Haermeyer	Mrs Maddigan	Mrs Wilson
Mr Bracks	Mr Hamilton	Mr Micallef	
Mr Cameron	Mr Hulls	Mr Mildenhall	Tellers
Mrs Campbell	Ms Kosky	Mr Pandazopoulos	Mr Carli
Mr Cole	Mr Langdon	Mr Savage	Ms Gillett
Mr Cunningham	Mr Leighton	Mr Seitz	

And so it was resolved in the affirmative.

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**LEGISLATIVE ASSEMBLY OF VICTORIA**  
**DIVISIONS IN COMMITTEE OF THE WHOLE**

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No. 2

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**Tuesday, 15 October 1996**

**No. 1 SHOP TRADING REFORM BILL - Clause 3.**

**3. Definitions**

(1) In this Act -

*[preceding definitions not printed]*

**“ordinary shop closing times” means—**

- (a) all times on Christmas Day and Good Friday;
- (b) between the hours of 12:01 am and 1:00 pm on Anzac Day;

*[following definitions and sub-clause (2) not printed]*

*(Mr Gude)*

Amendment proposed - That the definition of “ordinary shop closing times” in clause 3 be omitted with the view of inserting in place thereof the following definition -

**“ordinary shop closing times” means all times on—**

- (a) New Year’s Day;
- (b) 26 January (Australia Day);
- (c) Good Friday;
- (d) Easter Sunday;
- (e) 25 April (Anzac Day);
- (f) the first Tuesday in November (Melbourne Cup Day) but only in metropolitan municipal districts;
- (g) Christmas Day;
- (h) The day after Christmas Day (Boxing Day);
- (i) Geelong Cup Day but only in the City of Greater Geelong;’.

*(Mr Loney)*

Question - That the definition proposed to be omitted stand part of the clause - put.

Committee divided.

(Chairman - Mr Richardson)

AYES, 50

Mr Ashley	Mr Jasper	Dr Napthine	Mr Smith
Mr Brown	Mr Jenkins	Mr Paterson	(Polwarth)
Ms Burke	Mr John	Mr Perrin	Mr Spry
Mr Clark	Mr Kennett	Mr Perton	Mr Steggall
Mr Coleman	Mr Kilgour	Mr Pescott	Mrs Tehan
Mr Cooper	Mr Lean	Mrs Peulich	Mr Thompson
Dr Dean	Mr Leigh	Mr Phillips	Mr Traynor
Mr Dixon	Mr Lupton	Mr Plowman	Mr Treasure
Mr Doyle	Mr McArthur	(Benambra)	
Mr Elder	Mrs McGill	Mr Rowe	
Mrs Elliott	Mr McGrath	Mr Ryan	
Mr Finn	(Wimmera)	Mr Savage	
Mr Gude	Mr McLellan	Mrs Shardey	Tellers
Mrs Henderson	(Frankston East)	Mr Smith	Mr Andrighetto
Mr Honeywood	Mr Maughan	(Glen Waverley)	Ms McCall

NOES, 23

Mr Andrianopoulos	Mr Cole	Mr Leighton	
Mr Baker	Mr Dollis	Mr Loney	
Mr Bracks	Ms Gillett	Mr Mildenhall	
Mr Brumby	Mr Haermeyer	Mr Pandazopoulos	
Mr Cameron	Mr Hamilton	Mr Seitz	Tellers
Mrs Campbell	Mr Hulls	Mr Sheehan	Mr Lim
Mr Carli	Mr Langdon	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

## No. 2 New Clause A

Amendment proposed - That the following New Clause be inserted to follow clause 7 -

### *"A. Employees cannot be required to work on weekend after 5:00 pm Saturday*

Despite any provision to the contrary made by or under any Act or by any contract of employment or other agreement or arrangement relating to employment or by any employment agreement within the meaning of the **Employee Relations Act 1992**, an employer within the meaning of that Act cannot require an employee within the meaning of that Act to work at any time between the hours of 5:00 pm and midnight on a Saturday or at any time on a Sunday."

(Mr Loney)

Question - That the New Clause be added to the Bill and read a second time - put.

Committee divided.

(Chairman - Mr Richardson)

AYES, 23

Mr Andrianopoulos	Mr Dollis	Mr Lim	
Mr Baker	Ms Gillett	Mr Loney	
Mr Bracks	Mr Haermeyer	Mrs Maddigan	
Mr Brumby	Mr Hamilton	Mr Mildenhall	
Mrs Campbell	Mr Hulls	Mr Seitz	<i>Tellers</i>
Mr Carli	Mr Langdon	Mr Sheehan	Mr Cameron
Mr Cole	Mr Lighton	Mr Thwaites	Mr Pandazopoulos

NOES, 51

Mr Andrighetto	Mr Jenkins	Mr Perrin	Mr Thompson
Mr Ashley	Mr John	Mr Perton	Mr Traynor
Mr Brown	Mr Kennett	Mr Pescott	Mr Treasure
Ms Burke	Mr Kilgour	Mrs Peulich	
Mr Clark	Mr Lean	Mr Phillips	
Mr Coleman	Mr Leigh	Mr Plowman	
Mr Cooper	Mr Lupton	<i>(Benambra)</i>	
Dr Dean	Mr McArthur	Mr Rowe	
Mr Dixon	Ms McCall	Mr Ryan	
Mr Doyle	Mrs McGill	Mr Savage	
Mr Elder	Mr McGrath	Mrs Shardey	
Mrs Elliott	<i>(Wimmera)</i>	Mr Smith	
Mr Finn	Mr Maclellan	<i>(Glen Waverley)</i>	
Mr Gude	<i>(Pakenham)</i>	Mr Smith	<i>Tellers</i>
Mrs Henderson	Mr Maughan	<i>(Polwarth)</i>	Mr McLellan
Mr Honeywood	Dr Napthine	Mr Steggall	<i>(Frankston East)</i>
Mr Jasper	Mr Paterson	Mrs Tehan	Mr Spry

And so it passed in the negative.

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**LEGISLATIVE ASSEMBLY OF VICTORIA**  
**DIVISIONS IN COMMITTEE OF THE WHOLE**

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No. 3

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**Thursday, 5 December 1996**

**No. 1 FISHERIES (AMENDMENT) BILL - Clause 3.**

**3. Insertion of sections 153A and 153B**

After section 153 of the Fisheries Act 1995 insert—

**"153A. Cancellation of scallop licences**

[sub-clauses (1) to (3) not printed]

- (4) The Secretary must issue the new licence under sub-section (3) at no additional cost to the person who held the cancelled licence.

*(Mr Stockdale)*

Amendment proposed - That there be inserted at the end of sub-clause (4) the following words -

"and must ensure that the new licence has the same entitlements and conditions that the cancelled licence had (except for entitlements and conditions with respect to the taking of scallops in the waters of Port Phillip Bay)".

*(Mr Loney)*

Question - That the words proposed to be inserted be so inserted - put.

Committee divided.

(Chairman - Mr Richardson)

AYES, 29

Mr Andrianopoulos	Mr Dollis	Mr Leighton	Mr Sheehan
Mr Baker	Ms Garbutt	Mr Lim	Mr Thwaites
Mr Batchelor	Ms Gillett	Mr Loney	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mrs Maddigan	
Mr Brumby	Mr Hamilton	Mr Micallef	
Mrs Campbell	Mr Hulls	Mr Mildenhall	<i>Tellers</i>
Mr Carli	Ms Kosky	Mr Pandazopoulos	Mr Cameron
Mr Cole	Mr Langdon	Mr Seitz	Mr Cunningham

NOES, 49

Mr Ashley	Mr Lean	Mr Perrin	Mr Steggall
Mr Brown	Mr Leigh	Mr Pescott	Mr Stockdale
Ms Burke	Mr Lupton	Mrs Peulich	Mrs Tehan
Mr Clark	Mr McArthur	Mr Phillips	Mr Thompson
Mr Cooper	Ms McCall	Mr Plowman	Mr Traynor
Dr Dean	Mrs McGill	( <i>Benambra</i> )	Mr Treasure
Mr Dixon	Mr McGrath	Mr Reynolds	Mrs Wade
Mr Doyle	( <i>Wimmera</i> )	Mr Rowe	Mr Wells
Mr Elder	Mr McLellan	Mr Savage	
Mr Finn	( <i>Frankston East</i> )	Mrs Shardey	
Mr Gude	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	( <i>Glen Waverley</i> )	
Mr Honeywood	( <i>Pakenham</i> )	Mr Smith	<i>Tellers</i>
Mr Jasper	Dr Naphthine	( <i>Polwarth</i> )	Mr Andrighetto
Mr Kilgour	Mr Paterson	Mr Spry	Mr Jenkins

And so it passed in the negative.

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**LEGISLATIVE ASSEMBLY OF VICTORIA**  
**DIVISIONS IN COMMITTEE OF THE WHOLE**

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No. 4

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**Tuesday, 29 April 1997**

**No. 1 POLICE AND CORRECTIONS (AMENDMENT) BILL - Clause 1.**

**1. Purposes**

The main purposes of this Act are—

- (a) to amend the **Control of Weapons Act 1990** to regulate body armour; and
- (b) to amend the **Corrections Act 1986** in relation to the contracting out of the transport of prisoners and detainees; and
- (c) to amend the **Firearms Act 1996** to make further provision in respect of clay target shooters; and
- (d) to amend the **Police Regulation Act 1958** to improve the management, accountability and ethical conduct of the Victorian police force; and
- (e) to make consequential amendments to the **Children and Young Persons Act 1989**, the **Crimes Act 1958** and the **Sentencing Act 1991**.

- (Mr McGrath, Wimmera)

Amendment proposed - That sub-clause (b) be omitted.

- (Mr Haermeyer)

Question - That the sub-clause proposed to be omitted stand part of the clause - put.

Committed divided.

(Chairman - Mr McGrath, (*Warrnambool*))

AYES, 51

Mr Ashley	Mr Jenkins	Dr Napthine	Mr Spry
Mr Clark	Mr John	Mr Paterson	Mr Steggall
Mr Coleman	Mr Kennett	Mr Perrin	Mr Stockdale
Mr Cooper	Mr Kilgour	Mr Perton	Mrs Tehan
Ms Davies	Mr Lean	Mr Pescott	Mr Thompson
Dr Dean	Mr Leigh	Mrs Peulich	Mr Treasure
Mr Dixon	Mr Lupton	Mr Phillips	Mrs Wade
Mr Doyle	Mr McArthur	Mr Plowman	Mr Wells
Mr Elder	Ms McCall	( <i>Benambra</i> )	
Mrs Elliott	Mrs McGill	Mr Reynolds	
Mr Finn	Mr McGrath	Mr Richardson	
Mr Gude	( <i>Wimmera</i> )	Mr Ryan	
Mrs Henderson	Mr Maclellan	Mr Savage	<i>Tellers</i>
Mr Honeywood	( <i>Pakenham</i> )	Mr Smith	Ms Burke
Mr Jasper	Mr Maughan	( <i>Glen Waverley</i> )	Mrs Shardey

NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mr Langdon	Mrs Wilson
Mr Baker	Mr Dollis	Mr Leighton	
Mr Batchelor	Ms Garbutt	Mr Lim	
Mr Bracks	Ms Gillett	Mr Loney	
Mr Brumby	Mr Haermeyer	Mr Micallef	
Mrs Campbell	Mr Hamilton	Mr Mildenhall	<i>Tellers</i>
Mr Carli	Mr Hulls	Mr Sheehan	Mr Cameron
Mr Cole	Ms Kosky	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

## No. 2 POLICE AND CORRECTIONS (AMENDMENT) BILL - New Clause A.

### *"A. Review*

(1) For section 91G(1) of the Principal Act substitute—

“(1) At a review under this Part, the Commission may—

- (a) direct the Chief Commissioner to take the action set out in the direction; or
- (b) recommend to the Chief Commissioner that he or she take the action set out in the recommendation.

(1A) The Chief Commissioner must give effect to a direction of the Commission on a review.”.

(2) In section 91G(2) of the Principal Act omit “or vary it”.

- (*Mr Haermeyer*)

Question - That New Clause A be read a second time and added to the Bill - put.

Committee divided.

(Chairman - Mr McGrath, (*Warrnambool*))

AYES, 27

Mr Andrianopoulos	Mr Dollis	Mr Leighton	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Lim	
Mr Batchelor	Ms Gillett	Mr Loney	
Mr Bracks	Mr Haermeyer	Mrs Maddigan	
Mr Brumby	Mr Hamilton	Mr Micallef	
Mrs Campbell	Mr Hulls	Mr Mildenhall	<i>Tellers</i>
Mr Cole	Ms Kosky	Mr Sheehan	Mr Cameron
Mr Cunningham	Mr Langdon	Mr Thwaites	Mr Carli

NOES, 52

Mr Ashley	Mr John	Mr Pescott	Mr Stockdale
Ms Burke	Mr Kennett	Mrs Peulich	Mrs Tehan
Mr Clark	Mr Kilgour	Mr Phillips	Mr Thompson
Mr Coleman	Mr Leigh	Mr Plowman	Mr Treasure
Mr Cooper	Mr Lupton	( <i>Benambra</i> )	Mrs Wade
Ms Davies	Mr McArthur	Mr Reynolds	Mr Wells
Dr Dean	Ms McCall	Mr Richardson	
Mr Doyle	Mrs McGill	Mr Ryan	
Mr Elder	Mr McNamara	Mr Savage	
Mrs Elliott	Mr Maclellan	Mrs Shardey	
Mr Finn	( <i>Pakenham</i> )	Mr Smith	
Mr Gude	Mr Maughan	( <i>Glen Waverley</i> )	
Mrs Henderson	Dr Napthine	Mr Smith	
Mr Honeywood	Mr Paterson	( <i>Polwarth</i> )	<i>Tellers</i>
Mr Jasper	Mr Perrin	Mr Spry	Mr Dixon
Mr Jenkins	Mr Perton	Mr Steggall	Mr Lean

And so it passed in the negative.

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**LEGISLATIVE ASSEMBLY OF VICTORIA**  
**DIVISIONS IN COMMITTEE OF THE WHOLE**

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No. 5

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**Friday, 23 May 1997**

**No. 1 PROJECT DEVELOPMENT AND CONSTRUCTION MANAGEMENT (AMENDMENT)  
BILL**

Question - That the Bill be reported to the House with amendments - put.

Committee divided.

(Chairman - Mr Plowman, *(Benambra)*)

AYES, 43

Mr Andrighetto	Mr John	Dr Naphthine	Mr Steggall
Mr Ashley	Mr Kilgour	Mr Paterson	Mr Stockdale
Ms Burke	Mr Lean	Mr Perrin	Mrs Tehan
Mr Clark	Mr Lupton	Mr Perton	Mr Treasure
Mr Coleman	Mr McArthur	Mr Pescott	Mrs Wade
Dr Dean	Ms McCall	Mrs Peulich	Mr Wells
Mr Doyle	Mr McGrath	Mr Phillips	
Mr Elder	<i>(Wimmera)</i>	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Savage	
Mr Finn	<i>(Frankston East)</i>	Mrs Shardey	
Mrs Henderson	Mr Maclellan	Mr Smith	<i>Tellers</i>
Mr Jasper	<i>(Pakenham)</i>	<i>(Polwarth)</i>	Mr Dixon
Mr Jenkins	Mr Maughan	Mr Spry	Mr Rowe

NOES, 24

Mr Andrianopoulos	Mr Carli	Mr Leighton	Mrs Wilson
Mr Baker	Mr Cunningham	Mr Lim	
Mr Batchelor	Ms Davies	Mr Loney	
Mr Bracks	Ms Garbutt	Mrs Maddigan	
Mr Brumby	Mr Hamilton	Mr Micallef	<i>Tellers</i>
Mr Cameron	Mr Hulls	Mr Mildenhall	Ms Gillett
Mrs Campbell	Mr Langdon	Mr Pandazopoulos	Ms Kosky

And so it was resolved in the affirmative.

By Authority. Government Printer for the State of Victoria

**LEGISLATIVE ASSEMBLY OF VICTORIA**  
**DIVISIONS IN COMMITTEE OF THE WHOLE**

No. 6

**Tuesday, 7 October 1997**

**No. 1 ELECTRICITY INDUSTRY (FURTHER MISCELLANEOUS AMENDMENT) BILL -  
 Clause 25**

**25. *New section 18A substituted in Crown Land (Reserves) Act 1978***

For section 18A of the **Crown and (Reserves) Act 1978** substitute—

**“18A. *Agreement with electricity company— reserved land***

- (1) The Minister may enter into an agreement with an electricity company—
- (a) to manage and control; or
  - (b) to carry out duties, functions and powers related to the company’s purpose on—
- any reserved land, other than land that is a reference area under the **Reference Areas Act 1978**, that is used for the purposes of or in connection with the company’s purpose.
- (2) An agreement under sub-section (1)—
- (a) must be in writing; and
  - (b) may be amended from time to time or terminated by further written agreement between the parties; and
  - (c) must contain provisions with respect to the protection and conservation of the land subject to the agreement.

*[Sub-clause 3 not printed]*

*(Mr Stockdale)*

**Amendment proposed - That the following paragraphs 3, 4, 5 and 6 be inserted after sub-clause (2).**

- “(3) At least 3 months before entering into an agreement under sub-section (1) the Minister must publish a notice of the proposal to enter into the agreement in a newspaper circulating generally in the area to which the proposed agreement applies.

- (4) The notice must set a date within which submissions on the proposal may be made to the Minister (which must be not less than one month after the date on which the notice of the proposal is published in the newspaper).
- (5) Any person may make submissions to the Minister about the proposal.
- (6) Before entering into an agreement under this section, the Minister must consider all submissions made on or before the date set out in the notice."

(Ms Garbutt)

Question - That the paragraphs proposed to be inserted be so inserted - put.

Committee divided.

(Chairman - Mr McGrath (*Warrnambool*))

AYES, 25

Mr Andrianopoulos	Mr Cunningham	Ms Kosky	Mrs Wilson
Mr Baker	Ms Davies	Mr Leighton	
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	<i>Tellers</i>
Mr Brumby	Mr Haermeyer	Mr Mildenhall	Mr Cameron
Mrs Campbell	Mr Hamilton	Mr Savage	Mr Langdon
Mr Carli	Mr Hulls	Mr Seitz	Mrs Maddigan

NOES, 47

Mr Andrighetto	Mr Jenkins	Mr Paterson	Mr Stockdale
Mr Ashley	Mr John	Mr Perrin	Mrs Tehan
Mr Clark	Mr Lean	Mr Pescott	Mr Thompson
Mr Coleman	Mr Lupton	Mrs Peulich	Mr Traynor
Mr Cooper	Mr McArthur	Mr Phillips	Mr Treasure
Dr Dean	Ms McCall	Mr Plowman	Mr Wells
Mr Dixon	Mrs McGill	( <i>Benambra</i> )	
Mr Doyle	Mr McLellan	Mr Reynolds	
Mr Elder	( <i>Frankston East</i> )	Mr Ryan	
Mr Finn	Mr McNamara	Mrs Shardey	<i>Tellers</i>
Mr Gude	Mr Maclellan	Mr Smith	Ms Burke
Mrs Henderson	( <i>Pakenham</i> )	( <i>Polwarth</i> )	Mr Kilgour
Mr Honeywood	Mr Maughan	Mr Spry	Mr Smith
Mr Jasper	Dr Napthine	Mr Steggall	( <i>Glen Waverley</i> )

And so it passed in the negative.

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**LEGISLATIVE ASSEMBLY OF VICTORIA**  
**DIVISIONS IN COMMITTEE OF THE WHOLE**

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No. 7

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**Wednesday, 15 October 1997**

**No. 1 UNIVERSITY ACTS (FURTHER AMENDMENT) BILL**

**4. *Composition of Council***

For section 7(1) of the **Deakin University Act 1974** substitute—

“(1) The Council shall consist of—

- (a) the Chancellor;
- (b) the Vice-Chancellor;
- (c) the Chairman of the Academic Board;
- (d) 3 persons elected by and from the staff of the University prescribed by the Statutes;
- (e) 2 persons elected by and from the students enrolled at the University prescribed by the Statutes;
- (f) 6 persons appointed by the Governor in Council;
- (g) one person appointed by the Minister;
- (h) 6 persons appointed by the Council.

(1A) If the Chairperson of the Academic Board is not a professor or an associate professor, one of the members of staff elected under sub-section (1)(d) must be elected from the staff who are professors or associate professors.

(1B) Of the members appointed under sub-section (1)(h)—

- (a) one must be a person with substantial business experience;
- (b) one must be a person with qualifications and experience in financial matters.

(1C) Not more than 3 members of the Council appointed under sub-section (1)(f) and (h) may be persons whose normal place of residence is outside Australia.”

*(Mr Honeywood)*

Amendment proposed - That the following new sub-clause be inserted.

“(1D) Of the members appointed under sub-section (1)(f)—

- (a) one must be a person who has experience and interests in the Warrnambool region;
- (b) one must be a person who has experience and interests in or about Burwood.”.

(Mr Hamilton)

Question - That the sub-clause proposed to be inserted be so inserted - put.

Committee divided.

(Acting Chairman - Mr Perrin)

AYES, 28

Mr Andrianopoulos	Mr Dollis	Mr Lim	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Mr Hulls	Mr Seitz	Mr Cameron
Mr Cole	Ms Kosky	Mr Sheehan	Mr Langdon
Mr Cunningham	Mr Leighton	Mr Thwaites	Mrs Maddigan

NOES, 53

Mr Andrighetto	Mr John	Mr Paterson	Mr Stockdale
Mr Clark	Mr Lean	Mr Perton	Mrs Tehan
Mr Coleman	Mr Leigh	Mr Pescott	Mr Thompson
Mr Cooper	Mr Lupton	Mrs Peulich	Mr Traynor
Ms Davies	Mr McArthur	Mr Phillips	Mr Treasure
Dr Dean	Ms McCall	Mr Plowman	Mrs Wade
Mr Dixon	Mrs McGill	( <i>Benambra</i> )	Mr Wells
Mr Doyle	Mr McGrath	Mr Reynolds	
Mr Elder	( <i>Wimmera</i> )	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	( <i>Frankston East</i> )	Mr Savage	
Mr Gude	Mr McNamara	Mrs Shardey	<i>Tellers</i>
Mrs Henderson	Mr MacLellan	Mr Smith	Ms Burke
Mr Honeywood	( <i>Pakenham</i> )	( <i>Polwarthi</i> )	Mr Kilgour
Mr Jasper	Mr Maughan	Mr Spry	Mr Smith
Mr Jenkins	Dr Napthine	Mr Steggall	( <i>Glen Waverley</i> )

And so it passed in the negative.

**LEGISLATIVE ASSEMBLY OF VICTORIA**  
**DIVISION IN COMMITTEE OF THE WHOLE**

No. 8

**Tuesday, 11 November 1997**

**No. 1 PODIATRISTS REGISTRATION BILL**

**58. *Claims by persons as to registration***

(1) A person who is not a registered podiatrist must not—

- (a) take or use the title of registered podiatrist or registered chiropodist or any other title calculated to induce a belief that the person is registered under this Act; or
- (b) claim to be registered under this Act or hold himself or herself out as being registered under this Act; or
- (c) carry out any act which is required to be carried out by a registered podiatrist by or under an Act; or
- (d) claim to be qualified to practise as a podiatrist.

Penalty: 50 penalty units

*[Remainder of clause not printed]*

*(Dr Naphthine)*

Amendment proposed - Clause 58, line 16, after this line insert—

";or

(e) provide a podiatry service for fee or reward."

*(Mr Thwaites)*

Question - That the sub-clause proposed to be inserted be so inserted - put.

Committee divided.

(Chairman - Mr Seitz)

AYES, 23

Mr Andrianopoulos	Mr Cunningham	Mr Hulls	Mr Thwaites
Mr Batchelor	Mr Dollis	Ms Kosky	Mrs Wilson
Mr Bracks	Ms Garbutt	Mr Leighton	<i>Tellers</i>
Mrs Campbell	Ms Gillett	Mr Lim	Mr Langdon
Mr Carli	Mr Haermeyer	Mr Micallef	Mrs Maddigan
Mr Cole	Mr Hamilton	Mr Mildenhall	Mr Pandazopoulos

NOES, 48

Mr Andrighetto	Mr John	Mr Perrin	Mr Steggall
Mr Ashley	Mr Kennett	Mr Perton	Mr Stockdale
Mr Clark	Mr Lean	Mrs Peulich	Mr Thompson
Mr Coleman	Mr Leigh	Mr Plowman	Mr Traynor
Mr Cooper	Mr Lupton	<i>(Benambra)</i>	Mr Treasure
Ms Davies	Mr McArthur	Mr Reynolds	Mr Wells
Dr Dean	Ms McCall	Mr Richardson	
Mr Dixon	Mrs McGill	Mr Rowe	
Mr Doyle	Mr McGrath	Mr Ryan	
Mr Elder	<i>(Wimmera)</i>	Mr Savage	<i>Tellers</i>
Mrs Elliott	Mr McNamara	Mrs Shardey	Ms Burke
Mr Gude	Mr Maughan	Mr Smith	Mr Kilgour
Mr Jasper	Dr Napthine	<i>(Polwarth)</i>	Mr Smith
Mr Jenkins	Mr Paterson	Mr Spry	<i>(Glen Waverley)</i>

And so it passed in the negative.

**LEGISLATIVE ASSEMBLY OF VICTORIA**  
**DIVISION IN COMMITTEE OF THE WHOLE**

No. 9

**Wednesday, 12 November 1997**

**No. 1 FOOD (AMENDMENT) BILL - Clause 5**

**5. Insertion of Part IIIB**

After section 19B of the Food Act 1984 insert -

**'PART IIIB—FOOD SAFETY PROGRAMS**

**Division 1—General Matters**

**19C. Declaration that this Part applies to premises or vehicles**

- (1) The Secretary may, by notice published in the Government Gazette, declare that food premises or food vehicles of a particular class are to have food safety programs.
- (2) In making a declaration, the Secretary must specify that the declaration is to take effect on a specified date on or after the making of the declaration.
- (3) The registration authority must not register, renew the registration or grant the transfer of registration of any premises or vehicle on or after the date it becomes a declared premises or vehicle unless it is satisfied that an adequate food safety program exists for the premises or vehicle.

*[Remainder of clause not printed]*

*(Dr Napthine)*

Amendment proposed - Clause 5, page 12, line 18 after "or vehicle" insert "and who is appointed by the registration authority".

*(Mr Thwaites)*

Question - That the words proposed to be inserted be so inserted - put.

Committee divided.

(Chairman - Mr Plowman (Benambra))

AYES, 28

Mr Andrianopoulos	Mr Cunningham	Ms Kosky	
Mr Baker	Ms Davies	Mr Leighton	
Mr Batchelor	Mr Dollis	Mr Lim	
Mr Bracks	Ms Garbutt	Mr Micallef	
Mr Brumby	Ms Gillett	Mr Mildenhall	
Mrs Campbell	Mr Haermeyer	Mr Savage	<i>Tellers</i>
Mr Carli	Mr Hamilton	Mr Seitz	Mr Cameron
Mr Cole	Mr Hulls	Mr Thwaites	Mr Langdon
		Mrs Wilson	Mrs Maddigan

NOES, 49

Mr Andrighetto	Mr John	Mr Perrin	Mrs Tehan
Mr Ashley	Mr Kennett	Mr Perton	Mr Thompson
Mr Clark	Mr Lean	Mrs Peulich	Mr Traynor
Dr Dean	Mr Leigh	Mr Phillips	Mr Treasure
Mr Dixon	Mr Lupton	Mr Reynolds	Mrs Wade
Mr Doyle	Mr McArthur	Mr Richardson	Mr Wells
Mr Elder	Ms McCall	Mr Rowe	
Mrs Elliott	Mrs McGill	Mr Ryan	
Mr Finn	Mr McNamara	Mrs Shardey	
Mr Gude	Mr Maclellan	Mr Smith	<i>Tellers</i>
Mrs Henderson	(Pakenham)	(Polwarth)	Ms Burke
Mr Honeywood	Mr Maughan	Mr Spry	Mr Kilgour
Mr Jasper	Dr Napthine	Mr Steggall	Mr Smith
Mr Jenkins	Mr Paterson	Mr Stockdale	(Glen Waverley)

And so it passed in the negative.

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**LEGISLATIVE ASSEMBLY OF VICTORIA**  
**DIVISIONS IN COMMITTEE OF THE WHOLE**

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No. 10

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**Thursday, 4 December 1997**

**No. 1 ACCIDENT COMPENSATION (MISCELLANEOUS AMENDMENT) BILL - Clause 1**

**PART I—PRELIMINARY**

**1. Purpose**

The purpose of this Act is—

- (a) to amend the **Accident Compensation Act 1985** for the purpose of changing the scheme for compensation;
- (b) to abolish certain rights of action at common law;
- (c) to make related amendments to certain other Acts.

*(Mr Stockdale)*

Amendment proposed - Clause 1, omit paragraph (b).

*(Mr Bracks)*

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

Committee divided.

(Chairman - Mr McGrath (Warrnambool))

AYES, 52

Mr Andrighetto	Mr John	Mr Paterson	Mrs Tehan
Mr Ashley	Mr Kennett	Mr Perrin	Mr Thompson
Mr Clark	Mr Lean	Mr Perton	Mr Traynor
Mr Coleman	Mr Lupton	Mrs Peulich	Mr Treasure
Mr Cooper	Mr McArthur	Mr Phillips	Mrs Wade
Dr Dean	Ms McCall	Mr Plowman	Mr Wells
Mr Dixon	Mrs McGill	(Benambra)	
Mr Doyle	Mr McGrath	Mr Reynolds	
Mr Elder	(Wimmera)	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	(Frankston East)	Mr Ryan	
Mr Gude	Mr McNamara	Mrs Shardey	Tellers
Mrs Henderson	Mr Maclellan	Mr Smith	Ms Burke
Mr Honeywood	(Pakenham)	(Potwarth)	Mr Smith
Mr Jasper	Mr Maughan	Mr Steggall	(Glen Waverley)
Mr Jenkins	Dr Napthine	Mr Stockdale	Mr Spry

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Ms Davies	Mr Lim	
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Cameron
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Mr Cole	Ms Kosky	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

**No. 2 ACCIDENT COMPENSATION (MISCELLANEOUS AMENDMENT) BILL - Clauses 1 to 77 and Government Amendments 1 to 47, including 21A.**

Question - That Clauses 1 to 77 inclusive, Government Amendments 1 to 47, inclusive, including 21A stand part of the Bill - put.

Committee divided.

(Chairman - Mr McGrath (Warrnambool))

AYES, 52

Mr Andrighetto	Mr John	Mr Paterson	Mrs Tehan
Mr Ashley	Mr Kennett	Mr Perrin	Mr Thompson
Mr Clark	Mr Lean	Mr Perton	Mr Traynor
Mr Coleman	Mr Lupton	Mrs Peulich	Mr Treasure
Mr Cooper	Mr McArthur	Mr Phillips	Mrs Wade
Dr Dean	Ms McCall	Mr Plowman	Mr Wells
Mr Dixon	Mrs McGill	(Benambra)	
Mr Doyle	Mr McGrath	Mr Reynolds	
Mr Elder	(Wimmera)	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	(Frankston East)	Mr Ryan	
Mr Gude	Mr McNamara	Mrs Shardey	Tellers
Mrs Henderson	Mr Maclellan	Mr Smith	Ms Burke
Mr Honeywood	(Pakenham)	(Polwarth)	Mr Smith
Mr Jasper	Mr Maughan	Mr Steggall	(Glen Waverley)
Mr Jenkins	Dr Napthine	Mr Stockdale	Mr Spry

NOES, 28

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Thwaites
Mr Baker	Ms Davies	Mr Lim	
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Cameron
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Mr Cole	Ms Kosky	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.



**MINUTES OF THE PROCEEDINGS**

OF THE

**JOINT SITTING**

OF THE HOUSES OF PARLIAMENT OF THE  
STATE OF VICTORIA

TO CHOOSE A PERSON TO HOLD THE PLACE IN THE SENATE RENDERED VACANT  
BY THE RESIGNATION OF SENATOR THE HONOURABLE GARETH JOHN EVANS, QC

AND

TO CHOOSE MEMBERS OF THE PARLIAMENT TO BE RECOMMENDED FOR  
APPOINTMENT TO THE COUNCILS OF DEAKIN UNIVERSITY, LA TROBE  
UNIVERSITY, MONASH UNIVERSITY, ROYAL MELBOURNE INSTITUTE OF  
TECHNOLOGY, SWINBURNE UNIVERSITY OF TECHNOLOGY AND VICTORIA  
UNIVERSITY OF TECHNOLOGY

AND

TO ELECT TWO MEMBERS OF THE PARLIAMENT TO THE VICTORIAN HEALTH  
PROMOTION FOUNDATION.

**28 MAY 1996**

*Held in accordance with the provisions of section 15 of the Commonwealth of Australia Constitution Act and relevant provisions of the Deakin University Act 1974, La Trobe University Act 1964, Monash University Act 1958, Royal Melbourne Institute of Technology Act 1992, Swinburne University of Technology Act 1992, Victoria University of Technology Act 1990 and Tobacco Act 1987.*

**MINUTES OF THE PROCEEDINGS**

of the  
**JOINT SITTING**  
 held in the  
**LEGISLATIVE ASSEMBLY CHAMBER**

TUESDAY 28, MAY 1996

*The Members of the Legislative Council and the Members of the Legislative Assembly having assembled in the Legislative Assembly Chamber pursuant to resolutions of the two Houses —*

- 1 **ELECTION OF PRESIDENT** — The Honourable P. J. McNamara, MP, Deputy Premier, moved — That the Honourable Sidney James Plowman, MP, Speaker of the Legislative Assembly, be appointed President of this Joint Sitting, which motion having been seconded by Mr J. M. Brumby, MP, the Leader of the Opposition, was resolved in the affirmative.

The Honourable Sidney James Plowman, MP, having expressed his acknowledgment of the honour conferred upon him by the Joint Sitting, then took the Chair.

**SENATE VACANCY**

- 2 **RULES OF PROCEDURE** — The Honourable P. J. McNamara, MP, submitted the following rules of procedure for the consideration of Honourable Members, and moved — That these rules be the rules of procedure for the Joint Sitting to fill the Senate vacancy:
1. On any debate arising the same shall be conducted according to Parliamentary usage.
  2. A Member, addressing himself to the President, shall propose a person to hold the vacant place in the Senate and any such proposal shall be duly seconded. When a person is so proposed, the proposer shall state that such person is — (a) willing to hold the vacant place, if chosen; and (b) a member of the same political party as that subscribed to by the Senator last elected by the people in whose place the vacancy has occurred.
  3. If only one person be proposed and seconded, the President shall declare "That .....has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Gareth John Evans, Q.C."

4. If more than one person be proposed and seconded the person to hold the vacant place shall be chosen by ballot in the manner prescribed by rules 5 to 13, inclusive.
5. In the ballot for the vacancy, the President shall announce the names of the persons proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name of the person desired to be chosen; and if any ballot paper contains more than one name, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in the ballot box provided for the purpose.
6. The President shall ask the proposer of each nominated person to name some Member present to be a scrutineer. The scrutineers, with the Clerks of the two Houses, shall retire and ascertain the number of votes for each person; and the scrutineers shall make a written report of the result to the President showing the number of votes for each person.
7. No informal vote shall be taken into account.
8. The President shall be entitled to vote.
9. If on the first ballot no person shall have received an absolute majority of the votes polled, a second ballot shall be taken, and the name of the person who shall have received the fewest votes at the first ballot shall be excluded; but if at the first ballot the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall by drawing lots determine which of such persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.
10. Until one of the persons proposed obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, successive ballots shall be taken, and at each such ballot the name of the person who shall have received the fewest votes at the preceding ballot shall be excluded.
11. If on any ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, a special ballot shall be taken at which the names of only those persons shall be submitted, and the name of the person having the fewest votes at such special ballot shall be excluded; but if on any special ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, the scrutineers by drawing lots shall determine which one of such persons shall be excluded, and the name of the person last drawn shall be excluded.
12. If at any ballot, other than the first ballot or a special ballot hereinbefore provided for, the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall, by drawing lots, determine which of

those persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.

13. As soon as any person obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, the President shall declare —

“.....has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Gareth John Evans, Q.C.”

14. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

Mr J. M. Brumby, MP, seconded the motion.

Question — put and resolved in the affirmative.

- 3 PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT PLACE IN THE SENATE** — The President announced that, the rules having been adopted, he was now prepared to receive proposals from Honourable members of persons to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Gareth John Evans, QC.

The Honourable P. J. McNamara, MP, proposed Mr Stephen Michael Conroy as the person to hold the vacant place. He also stated that such person was willing to hold the vacant place, if chosen and that he was in possession of advice from the Australian Labor Party State Secretary, that the nominee is the selection of the Australian Labor Party, the party previously represented in the Senate by Senator the Honourable Gareth John Evans, QC; which proposal was seconded by Mr J. M. Brumby, MP.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Mr Stephen Michael Conroy, had been chosen to hold the place rendered vacant by the resignation of Senator the Honourable Gareth John Evans, QC.

- 4 NOTIFICATION TO HIS EXCELLENCY THE GOVERNOR** — The Honourable P. J. McNamara, MP, moved — That the President of the Joint Sitting inform his Excellency the Governor that Stephen Michael Conroy has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Gareth John Evans, QC, which motion was seconded by Mr J. M. Brumby, MP.

Question — put and resolved in the affirmative.

#### OTHER VACANCIES

- 5 RULES OF PROCEDURE** — The President drew attention to various appointment provisions from the relevant Acts relating to the Councils of the Deakin University, La

Trobre University, Monash University, Royal Melbourne Institute of Technology, Swinburne University of Technology, Victoria University of Technology and the Victorian Health Promotion Foundation, which provide that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable P. J. McNamara, MP, submitted the following rules of procedure for the consideration of Honourable Members, and moved — That these rules be the rules of procedure for this Joint Sitting:

1. On any debate arising the same shall be conducted according to Parliamentary usage.
2. A Member, addressing the President, shall propose a Member or Members to be recommended for appointment or elected (as the case may be) and any such proposal shall be duly seconded. When each Member is so proposed, the proposer shall state that such Member is willing to be so recommended for appointment or elected, if chosen.
3. If no more than the required number of Members are proposed and seconded, the President shall declare such Members as having been chosen to be recommended for appointment or elected.
4. If more than the required number of Members are proposed and seconded in respect of the vacancies the Members to be recommended for appointment or elected shall be chosen by ballot in the manner prescribed by rules 5 to 8, inclusive.
5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerk of each House. Each Member shall write on such ballot paper the names of the Members that the Member voting wishes to be recommended for appointment or elected; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.
6. The President shall appoint three Members to be scrutineers, who, with one of the Clerks, shall ascertain the number of votes for each Member. The Member reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment or elected. In the case of more than one vacancy, the required number of Members reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment or elected. In case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots, shall determine which of such Members has been duly chosen to be recommended for appointment or elected.
7. No informal vote shall be taken into account.
8. The President shall be entitled to a vote.
9. As soon as a ballot has been concluded the President shall declare —  
"That ..... has/have been chosen to be recommended for appointment or elected to the.....".
10. The President shall advise the responsible Minister of the Members chosen to be recommended for appointment or elected to the various governing bodies.

11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

Mr J. M. Brumby, MP, seconded the motion.

Question — put and resolved in the affirmative.

- 6 **DEAKIN UNIVERSITY** — The President announced that he was now prepared to receive proposals from Honourable Members with regard to two Members to be recommended for appointment to the Council of the Deakin University.

The Honourable P. J. McNamara, MP, proposed that the Honourable Ian James Cover, MLC, and Ms Mary Jane Gillett, MP, be recommended for appointment as Members of the Council of the Deakin University and stated that they were willing to be recommended for appointment, if chosen; which proposal was seconded by Mr J. M. Brumby, MP.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Ian James Cover, MLC, and Ms Mary Jane Gillett, MP, had been recommended for appointment.

- 7 **LA TROBE UNIVERSITY** — The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be recommended for appointment to the Council of the La Trobe University.

The Honourable P. J. McNamara, MP, proposed that the Honourable Elizabeth Jeanette Powell, MLC, be recommended for appointment as a Member of the Council of the La Trobe University and stated that she is willing to be recommended for appointment, if chosen; which proposal was seconded by Mr J. M. Brumby, MP.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Elizabeth Jeanette Powell, MLC, had been recommended for appointment.

- 8 **MONASH UNIVERSITY** — The President announced that he was now prepared to receive proposals from Honourable Members with regard to two Members to be recommended for appointment to the Council of the Monash University.

The Honourable P. J. McNamara, MP, proposed that the Honourable Andrew Ronald Brideson, MLC and Mr Hong Lim, MP, be recommended for appointment as Members of the Council of the Monash University and stated that they were willing to be recommended for appointment, if chosen; which proposal was seconded by Mr J. M. Brumby, MP.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Andrew Ronald Brideson, MLC and Mr Hong Lim, MP, had been recommended for appointment.

- 9 **ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY** — The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be recommended for appointment to the Council of the Royal Melbourne Institute of Technology.

The Honourable P. J. McNamara, MP, proposed that the Honourable Ronald Alexander Best, MLC, be recommended for appointment as a Member of the Council of the Royal Melbourne Institute of Technology and stated that he is willing to be recommended for appointment, if chosen; which proposal was seconded by Mr J. M. Brumby, MP.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Ronald Alexander Best, MLC, had been recommended for appointment.

- 10 **SWINBURNE UNIVERSITY OF TECHNOLOGY** — The President announced that he was now prepared to receive proposals from Honourable Members with regard to two Members to be recommended for appointment to the Council of the Swinburne University of Technology.

The Honourable P. J. McNamara, MP, proposed that the Honourables Sang Minh Nguyen, MLC and Rosemary Varty, MLC, be recommended for appointment as Members of the Council of the Swinburne University of Technology and stated that they were willing to be recommended for appointment, if chosen; which proposal was seconded by Mr J. M. Brumby MP.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourables Sang Minh Nguyen, MLC, and Rosemary Varty, MLC, had been recommended for appointment.

- 11 **VICTORIA UNIVERSITY OF TECHNOLOGY** — The President announced that he was now prepared to receive proposals from Honourable Members with regard to three Members to be recommended for appointment to the Council of the Victoria University of Technology.

The Honourable P. J. McNamara, MP, proposed that the Honourable Ronald Alexander Best, MLC, Mr Bernard Thomas Christopher Finn, MP, and the Honourable Jean McLean, MLC, be recommended for appointment as Members of the Council of the Victoria University of Technology and stated that they were willing to be recommended for appointment, if chosen; which proposal was seconded by Mr J. M. Brumby MP.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Ronald Alexander Best, MLC, Mr Bernard Thomas Christopher Finn, MP, and the Honourable Jean McLean, MLC, had been recommended for appointment.

12 **VICTORIAN HEALTH PROMOTION FOUNDATION** — The President announced that he was now prepared to receive proposals from Honourable Members with regard to two Members to be elected to the Victorian Health Promotion Foundation.

The Honourable P. J. McNamara, MP, proposed that the Honourable Gerald Barry Ashman, MLC, and Mrs Janet Tindale Calder Wilson, MP, be elected to the Victorian Health Promotion Foundation, and stated that they were willing to be elected, if chosen; which proposal was seconded by Mr J. M. Brumby, MP.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Gerald Barry Ashman, MLC, and Mrs Janet Tindale Calder Wilson, MP, had been elected.

The President declared the Joint Sitting closed.

**A.V. BRAY**

*Clerk of the Legislative Council*

**P.J. MITHEN**

*Clerk of the Legislative Assembly*



**MINUTES OF THE PROCEEDINGS**

OF THE

**JOINT SITTING**

OF THE HOUSES OF PARLIAMENT OF THE  
STATE OF VICTORIA

TO CHOOSE MEMBERS OF THE PARLIAMENT TO BE RECOMMENDED FOR  
APPOINTMENT TO THE COUNCILS OF THE ROYAL MELBOURNE INSTITUTE OF  
TECHNOLOGY AND LA TROBE UNIVERSITY

AND

TO ELECT A MEMBER OF THE PARLIAMENT TO THE VICTORIAN HEALTH  
PROMOTION FOUNDATION.

**30 OCTOBER 1996**

*Held in accordance with the relevant provisions of the Royal Melbourne Institute of Technology Act 1992, La Trobe University Act 1964 and Tobacco Act 1987.*

MINUTES OF THE PROCEEDINGS  
of the  
JOINT SITTING  
held in the  
LEGISLATIVE ASSEMBLY CHAMBER

WEDNESDAY, 30 OCTOBER 1996

*The Members of the Legislative Council and the Members of the Legislative Assembly having assembled in the Legislative Assembly Chamber pursuant to resolutions of the two Houses —*

- 1 **ELECTION OF PRESIDENT** — The Honourable P.A. Gude, MP, Minister for Education, moved — That the Honourable Bruce Anthony Chamberlain, MLC, President of the Legislative Council, be appointed President of this Joint Sitting, which motion having been seconded by Mr K.G. Hamilton, MP, was resolved in the affirmative.

The Honourable Bruce Anthony Chamberlain, MLC, having expressed his acknowledgment of the honour conferred upon him by the Joint Sitting, then took the Chair.

- 2 **RULES OF PROCEDURE** — The President drew attention to various appointment provisions from the relevant Acts relating to the Councils of the Royal Melbourne Institute of Technology, La Trobe University and the Victorian Health Promotion Foundation, which provide that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable P.A. Gude, MP, submitted the following rules of procedure for the consideration of Honourable Members, and moved — That these rules be the rules of procedure for this Joint Sitting:

1. On any debate arising the same shall be conducted according to Parliamentary usage.
2. A Member, addressing the President, shall propose a Member to be recommended for appointment or elected (as the case may be) and any such proposal shall be duly seconded. When each Member is so proposed, the proposer shall state that such Member is willing to be so recommended for appointment or elected, if chosen.

3. If no more than the required number of Members is proposed and seconded, the President shall declare such Member as having been chosen to be recommended for appointment or elected.
4. If more than the required number of Members are proposed and seconded in respect of the vacancies the Members to be recommended for appointment or elected shall be chosen by ballot in the following manner.
5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerk of each House. Each Member shall write on such ballot paper the name of the Member that the Member voting wishes to be recommended for appointment or elected; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.
6. The President shall appoint three Members to be scrutineers, who, with one of the Clerks, shall ascertain the number of votes for each Member. The Member reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment or elected. In case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots, shall determine which of such Members has been duly chosen to be recommended for appointment or elected.
7. No informal vote shall be taken into account.
8. The President shall be entitled to a vote.
9. As soon as a ballot has been concluded the President shall declare —  
"That ..... has been chosen to be recommended for appointment to the Council of Royal Melbourne Institute of Technology (or La Trobe University)."  
"That ..... has been elected to the Victorian Health Promotion Foundation."
10. The President shall advise the responsible Minister of the Members chosen to be recommended for appointment to the Councils of Royal Melbourne Institute of Technology and the La Trobe University and the Member elected to the Victorian Health Promotion Foundation.
11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

Mr K.G. Hamilton, MP, seconded the motion.

Question — put and resolved in the affirmative.

- 3 **ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY** — The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be recommended for appointment to the Council of the Royal Melbourne Institute of Technology.

The Honourable P.A. Gude, MP, proposed that the Honourable Barry Thomas Pullen, MLC, be recommended for appointment as a Member of the Council of the Royal Melbourne Institute of Technology and stated that he was willing to be recommended for appointment, if chosen; which proposal was seconded by Mr K.G. Hamilton, MP.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Barry Thomas Pullen, MLC, had been recommended for appointment.

- 4 **LA TROBE UNIVERSITY** — The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be recommended for appointment to the Council of the La Trobe University.

The Honourable P.A. Gude, MP, proposed that the Honourable Anthony John Sheehan, MP, be recommended for appointment as a Member of the Council of the La Trobe University and stated that he was willing to be recommended for appointment, if chosen; which proposal was seconded by Mr K.G. Hamilton, MP.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Anthony John Sheehan, MP, had been recommended for appointment.

- 5 **VICTORIAN HEALTH PROMOTION FOUNDATION** — The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be elected to the Victorian Health Promotion Foundation.

The Honourable P.A. Gude, MP, proposed that the Honourable Ronald Alexander Best, MLC, be elected to the Victorian Health Promotion Foundation, and stated that he was willing to be elected, if chosen; which proposal was seconded by Mr K.G. Hamilton, MP.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Ronald Alexander Best, MLC, had been elected.

The President declared the Joint Sitting closed.

**A.V. BRAY**  
*Clerk of the Legislative Council*

**P.J. MITHEN**  
*Clerk of the Legislative Assembly*

*By Authority. Government Printer for the State of Victoria.*



**MINUTES OF THE PROCEEDINGS**

OF THE

**JOINT SITTING**

OF THE HOUSES OF PARLIAMENT OF THE  
STATE OF VICTORIA

TO CHOOSE A PERSON TO HOLD THE PLACE IN THE SENATE  
RENDERED VACANT BY THE RESIGNATION OF SENATOR THE  
HONOURABLE JAMES ROBERT SHORT

AND

TO CHOOSE MEMBERS OF THE PARLIAMENT TO BE RECOMMENDED  
FOR APPOINTMENT TO THE COUNCILS OF DEAKIN UNIVERSITY AND  
THE UNIVERSITY OF BALLARAT.

**13 MAY 1997**

*Held in accordance with the provisions of section 15 of the Commonwealth of Australia Constitution Act  
and relevant provisions of the Deakin University Act 1974 and University of Ballarat Act 1993.*

MINUTES OF THE PROCEEDINGS  
of the  
JOINT SITTING  
held in the  
LEGISLATIVE ASSEMBLY CHAMBER

TUESDAY, 13 MAY 1997

*The Members of the Legislative Council and the Members of the Legislative Assembly having assembled in the Legislative Assembly Chamber pursuant to resolutions of the two Houses —*

- 1 **ELECTION OF PRESIDENT** — The Honourable J. G. Kennett, MP, Premier, moved — That the Honourable Sidney James Plowman, MP, Speaker of the Legislative Assembly, be appointed President of this Joint Sitting, which motion having been seconded by Mr J. M. Brumby, MP, the Leader of the Opposition, was resolved in the affirmative.

The Honourable Sidney James Plowman, MP, having expressed his acknowledgment of the honour conferred upon him by the Joint Sitting, then took the Chair.

**SENATE VACANCY**

- 2 **RULES OF PROCEDURE** — The President drew attention to the provisions of the Commonwealth Constitution regarding the filling of Senate vacancies and the provisions of the *Deakin University Act 1974* and the *University of Ballarat Act 1993* regarding appointments to those Universities' Councils which provide that the Joint Sitting be conducted in accordance with rules adopted for the purpose by Members at the sitting.

The President having announced that the first procedure was the adoption of rules for the choice of a person to hold the vacant place in the Senate, the Honourable J. G. Kennett, MP, submitted the following rules of procedure for the consideration of Honourable Members, and moved — That these rules be the rules of procedure for the Joint Sitting to fill the Senate vacancy:

1. On any debate arising the same shall be conducted according to Parliamentary usage.

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2. A Member, addressing himself to the President, shall propose a person to hold the vacant place in the Senate and any such proposal shall be duly seconded. When a person is so proposed, the proposer shall state that such person is —

- (a) willing to hold the vacant place, if chosen; and
- (b) a member of the same political party as that subscribed to by the Senator last elected by the people in whose place the vacancy has occurred.

3. If only one person be proposed and seconded, the President shall declare "That .....has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable James Robert Short."

4. If more than one person be proposed and seconded the person to hold the vacant place shall be chosen by ballot in the manner prescribed by rules 5 to 13 inclusive.

5. In the ballot for the vacancy, the President shall announce the names of the persons proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name of the person desired to be chosen; and if any ballot paper contains more than one name, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in the ballot box provided for the purpose.

6. The President shall ask the proposer of each nominated person to name some Member present to be a scrutineer. The scrutineers, with the Clerks of the two Houses, shall retire and ascertain the number of votes for each person; and the scrutineers shall make a written report of the result to the President showing the number of votes for each person.

7. No informal vote shall be taken into account.

8. The President shall be entitled to vote.

9. If on the first ballot no person shall have received an absolute majority of the votes polled, a second ballot shall be taken, and the name of the person who shall have received the fewest votes at the first ballot shall be excluded; but if at the first ballot the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall by drawing lots determine which of such persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.

10. Until one of the persons proposed obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, successive ballots shall be taken, and at each such ballot the name of the person who shall have received the fewest votes at the preceding ballot shall be excluded.

11. If on any ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, a special ballot shall be taken at which the names of only those persons shall be submitted, and the name of the person having the fewest votes at such special ballot shall be excluded; but if on any special ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, the scrutineers by drawing lots shall determine which one of such persons shall be excluded, and the name of the person last drawn shall be excluded.

12. If at any ballot, other than the first ballot or a special ballot hereinbefore provided for, the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall, by drawing lots, determine which of those persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.

13. As soon as any person obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, the President shall declare —

".....has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable James Robert Short."

14. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

Mr J. M. Brumby, MP, seconded the motion.

Question — put and resolved in the affirmative.

- 3 PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT PLACE IN THE SENATE** — The President announced that, the rules having been adopted, he was now prepared to receive proposals from Honourable Members of persons to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable James Robert Short.

The Honourable J. G. Kennett, MP, proposed Karen Margaret Synon as the person to hold the vacant place. He also stated that she was willing to hold the vacant place, if chosen and that he was in possession of advice from the Liberal Party State Secretary, that the nominee is the selection of the Liberal Party, the party previously represented in the Senate by Senator the Honourable James Robert Short; which proposal was seconded by Mr J. M. Brumby, MP.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Karen Margaret Synon, had been chosen to hold the place rendered vacant by the resignation of Senator the Honourable James Robert Short.

- 4 **NOTIFICATION TO HIS EXCELLENCY THE GOVERNOR** — The Honourable J. G. Kennett, MP, moved — That the President of the Joint Sitting inform His Excellency the Governor that Karen Margaret Synon has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable James Robert Short; which motion was seconded by Mr J. M. Brumby, MP.

Question — put and resolved in the affirmative.

#### OTHER VACANCIES

- 5 **RULES OF PROCEDURE** — The President having announced that the next procedure was the adoption of rules for the second part of the Joint Sitting, the Honourable J. G. Kennett, MP, submitted the following rules of procedure for the consideration of Honourable Members, and moved — That these rules be the rules of procedure for this part of the Joint Sitting:
1. On any debate arising the same shall be conducted according to Parliamentary usage.
  2. A Member, addressing the President, shall propose a Member or Members to be recommended for appointment or elected (as the case may be) and any such proposal shall be duly seconded. When each Member is so proposed, the proposer shall state that such Member is willing to be so recommended for appointment or elected, if chosen.
  3. If no more than the required number of Members are proposed and seconded, the President shall declare such Members as having been chosen to be recommended for appointment or elected.
  4. If more than the required number of Members are proposed and seconded in respect of the vacancies the Members to be recommended for appointment or elected shall be chosen by ballot in the manner prescribed by rules 5 to 8, inclusive.

5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerk of each House. Each Member shall write on such ballot paper the names of the Members that the Member voting wishes to be recommended for appointment or elected; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.

6. The President shall appoint three Members to be scrutineers, who, with one of the Clerks, shall ascertain the number of votes for each Member. The Member reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment or elected. In the case of more than one vacancy, the required number of Members reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment or elected. In case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots, shall determine which of such Members has been duly chosen to be recommended for appointment or elected.

7. No informal vote shall be taken into account.

8. The President shall be entitled to a vote.

9. As soon as a ballot has been concluded the President shall declare —

"That ..... has/have been chosen to be recommended for appointment or elected to the.....".

10. The President shall advise the responsible Minister of the Members chosen to be recommended for appointment or elected to the various governing bodies.

11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

Mr J. M. Brumby, MP, seconded the motion.

Question — put and resolved in the affirmative.

- 6 **DEAKIN UNIVERSITY** — The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be recommended for appointment to the Council of the Deakin University.

The Honourable J. G. Kennett, MP, proposed that Mrs Judith Marilyn Maddigan, MP, be recommended for appointment as a Member of the

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Council of the Deakin University and stated that she was willing to be recommended for appointment, if chosen; which proposal was seconded by Mr J. M. Brumby, MP.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Mrs Judith Marilyn Maddigan, MP, had been recommended for appointment.

- 7 **UNIVERSITY OF BALLARAT** — The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be recommended for appointment to the Council of the University of Ballarat.

The Honourable J. G. Kennett, MP, proposed that the Honourable Richard Strachan de Fegely, MLC, Ms Mary Jane Gillett, MP and the Honourable William Desmond McGrath, MP be recommended for appointment as Members of the Council of the University of Ballarat and stated that they were willing to be recommended for appointment, if chosen; which proposal was seconded by Mr J. M. Brumby, MP.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Richard Strachan de Fegely, MLC, Ms Mary Jane Gillett, MP and the Honourable William Desmond McGrath, MP had been recommended for appointment.

The President declared the Joint Sitting closed.

**A.V. BRAY**  
*Clerk of the Legislative Council*

**P.J. MITHEN**  
*Clerk of the Legislative Assembly*

