

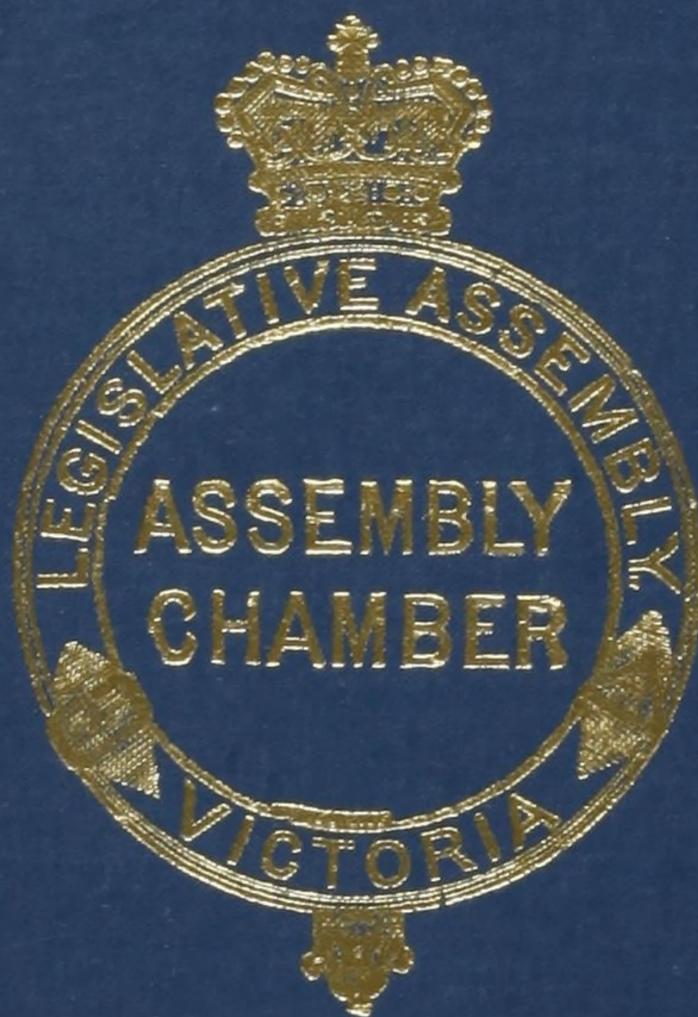
VICTORIA



VOTES
AND
PROCEEDINGS
OF THE
LEGISLATIVE
ASSEMBLY

SESSION
1998-99

VOL 1



ASSEMBLY CHAMBER

VICTORIA

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

SESSION 1998-99

INDEX

VOLUME 1

CONTENTS

VOLUME 1

	<u>PAGE</u>
Index to Volumes 1 to 15	5
Bill Summary	105
Members of the Legislative Assembly	106
Officers of the Legislative Assembly	116
<hr/>	
Votes and Proceedings	1
Messages received after the adjournment of the House	355
"Government Gazette" – Dissolving the Legislative Assembly	357
Committees	358
Divisions in Committee of the Whole	363
Minutes of Proceedings of Joint Sitting	
21 April 1999 — Victorian Health Promotion Foundation	383

Volumes 2 to 15 contain Papers presented to the Parliament which were ordered to be printed.

NOTE: To facilitate reference to any Paper ordered to be printed by the Legislative Assembly the cipher (e.g. "No. 1" at the bottom of the title page of each Paper) is shown in this Index followed by the Volume Number and Place Number.

LEGISLATIVE ASSEMBLY OF VICTORIA
FIFTY-THIRD PARLIAMENT - SECOND SESSION
VOTES AND PROCEEDINGS INDEX

	Votes Volume 1 Page
<hr/>	
Aborigines. See "Victorian Government Response to Bringing Them Home"	
Acts - Proclamation of operative dates -	
Motion empowering Clerk to inform House of operative dates	13
Proclamations tabled by Clerk	14-15, 39, 58, 75, 88, 105, 139-40, 162, 230, 255-6, 273, 282, 297-8
Acute Health System. See "Adjournment Motion"	
Address in Reply to Governor's Speech -	
Motion for	12
Debated	12, 28, 29, 31, 33, 34, 41, 43, 44, 45, 48, 60, 78
Agreed to and Ordered to be presented to His Excellency	78
Presentation of Address and His Excellency's reply thereto	140-1
Adjournment Motion -	
Under Standing Order No 26 for the purpose of discussing matters of urgent public importance, debated	
Port Phillip Prison	49
Acute Health System	112-3
Explosion - Longford Gas Plant	164-5
Melbourne Market Authority	210-1
Victorian Government's Finances	235-6
Catchment Management Authority Tax	258-9
Princes Highway Upgrade	315
And see "Divisions in House"	
Adjournment of House - See "Sitting of House"	
Adult, Community and Further Education Board - Report - 1997-98	226

	Votes Volume 1 Page
Adult Parole Board – Report – 1997-98	247
Agriculture Victoria Services Pty Ltd – Report – 1997-98	226
Albury-Wodonga Development Corporation – Report – 1887-98	250
Alpine Health - Report - Period ended 30 June 1997	116
Alpine Resorts Commission - Report - Year ended 31 October 1997 Period 1 November 1997 to 29 April 1998	2 250
Aluminium Smelters of Victoria Pty Ltd– Report – 1997-98	221
Ambulance Service Victoria – Report – Metropolitan Region 1997-98	226
North Eastern Region 1997-98	226
North Western Region 1997-98	226
South Eastern Region 1997-98	226
South Western Region 1997-98	226
Western Region 1997-98	226
Anderson’s Creek Cemetery Trust – Report – 1997	160
Anti-Cancer Council - Report - 1997	96
Anti-Discrimination Tribunal – Report – 1997-98	226
Architects Registration Board – Report – 1997-98	218

	Votes Volume 1 Page
Assistant Clerk and Clerk of Committees (Geoffrey Herbert Westcott) Appointed	310
Audit/Accident Compensation Acts - Motion calling on Government to repeal Acts, debated	32
Audit Act 1994 – Reports -	
Financial Auditor of Auditor-General appointed	96
Performance Audit of Auditor-General appointed	96-7
Performance Audit of the Victorian Auditor-General’s Office, September 1998 (No. 30 Vol. 8 Place 1)	160
And see “Auditor-General – Reports”, “Finance – Reports of the Auditor-General”, “Public Accounts and Estimates Committee”	
Auditor-General - Reports –	
Office –	
1997-98	181
Special Reports of the Auditor-General -	
No. 54 - Victoria’s Gaming Industry: An insight into the role of the regulator (No. 3 Vol. 2 Place 3)	49
No. 55 - Child Care and Kindergartens: Caring about quality (No. 4 Vol. 2 Place 4)	61
No. 56 - Acute health services under casemix: A case of mixed priorities (No. 11 Vol. 4 Place 1)	104
No. 57 - Public Transport Reforms: Moving from a system to a service (No. 14 Vol. 5 Place 2)	116
No. 58 – State Revenue Office: A customer service focus towards improving taxation collection (No. 36 Vol. 8 Place 7)	210
No. 59 – Automating Fare Collection: A major initiative in public transport (No. 42 Vol. 10 Place 1)	234
No. 60 – Victoria’s prison system: Community protection and prisoner welfare (No. 57 Vol. 13 Place 3)	341
And see “Audit Act 1994, “Finance - Reports of the Auditor-General”, “Public Accounts and Estimates Committee”	
Austin and Repatriation Medical Centre – Report – 1997-98	244
Australian Barley Board – Report – 1997-98	226

Australian Food Industry Science Centre

347

Australian Grand Prix Corporation – Report –
1997-98

226

	Votes Volume 1 Page
BAIRNSDALE Regional Health Service – Report – 1997-98	196
Ballaarat General Cemeteries Trust – Report – 1997	160
Ballarat Health Service - Report - 1996-97	2
1997-98	250
Ballarat School of Mines and Industries Limited - Report - 1997	74
Ballarat University - Report - 1997	99
1998, together with an explanation for the delay in tabling	347
Barton Institute of TAFE - Report - 1997	74
Barwon Health – Report – 1997-98	226
Barwon Region Water Authority – Report – 1997-98	226
Beechworth Hospital – Report – 1997-98	226
Benalla and District Memorial Hospital – Report – 1997-98	226
Bendigo Cemeteries Trust – Report – 1997	160
Bendigo Health Care Group – Report – 1997-98	196
Bendigo Regional Institute of TAFE - Report - 1997	74
1998	296
Bethlehem Hospital Inc. - Report – 1997-98	244

Bills - Procedural -

Absolute majority obtained	43, 54, 93, 97, 109, 110, 111, 117, 118, 119, 129, 148, 150, 155, 168, 171, 187, 222, 233, 237, 242, 243, 275, 278, 287, 290, 316, 323, 324, 332, 338, 345, 349, 351, 353
Statement made pursuant to section 85(5)(c) of the Constitution Act 1975	29, 35, 68, 69, 83, 84, 85, 173, 175, 192, 193, 199, 267, 268, 342, 350
Notice of intention to make Statement in lieu of previous Statement pursuant to section 85(5)(c) of the Constitution Act 1975	185, 218
Statement made in lieu of previous Statement made pursuant to section 85(5)(c) of the Constitution Act 1975	206
Amended Statement made pursuant to section 85(5)(c) of the Constitution Act 1975	231, 231-2, 332
Clerk's correction	154, 324
Concurrent debate	91, 106
Correction of Calendar year	257
Instruction to Committee	
To divide Bill	124-7
To consider new Clause	180
Private Bills -	
Treated as Public Bill with Fees	92
Treated as Public Bill and Fees dispensed	216
Privilege Bill	6

Bills - Short Title -

Accident Compensation (Amendment) Bill - (Mr Stockdale)	
First reading	165
Second reading	173
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	173
Subsequent proceedings	178, 186-7, 233, 256
Governor's Message recommending appropriation	179
Absolute majority obtained	187
<i>Act No. 81 of 1998</i> <i>Assented to 17 November 1998</i> And see "Divisions in House"	
Agriculture Acts (Amendment) Bill - (Mr McNamara)	
First reading	62
Second reading	66-7
Subsequent proceedings	74, 100-1, 117, 141
And see "Divisions in House"	
<i>Act No. 26 of 1998</i> <i>Assented to 19 May 1998</i>	
Ambulance Services (Amendment) Bill - (Dr Napthine)	
First reading	79
Second reading	82
Subsequent proceedings	103, 114, 141
Governor's Message recommending appropriation	105
<i>Act No. 38 of 1998</i> <i>Assented to 26 May 1998</i> And see "Divisions in House"	
Ambulance Services (Further Amendment) Bill – (From Council – Dr Napthine)	
First reading	300
Second reading	302
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	302
Subsequent proceedings	282, 332
Absolute majority obtained	332
<i>Act No. 25 of 1999</i> <i>Assented to 1 June 1999</i>	

Bills - Short Title – continued

Appeal Costs Bill - (Mrs Wade)

First reading	166
Second reading	175
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	175
Notice of intention to make a statement in lieu of previous statement	185
Statement made in lieu of previous statement pursuant to s. 85(5)(c) of the Constitution Act 1975	206
Subsequent proceedings	178, 206-7, 222, 241, 256
Governor's Message recommending appropriation	179
Absolute majority obtained	222
<i>Act No. 87 of 1998</i> <i>Assented to 24 November 1998</i> And see "Divisions in House"	

Appropriation (1998/99) Bill - (Mr Stockdale)

Governor's Message recommending appropriation and transmitting Estimates	76
First reading	76
Second reading	76
Subsequent proceedings	80, 85, 89, 102, 103, 118, 141
<i>Act No. 36 of 1998</i> <i>Assented to 20 May 1998</i>	

Appropriation (1999/2000) Bill - (Mr Stockdale)

Governor's Message recommending appropriation and transmitting Estimates	298
First reading	298
Second reading	298
Subsequent proceedings	304, 312, 316, 317, 327
<i>Act No. 48 of 1999</i> <i>Assented to 16 June 1999</i>	

Appropriation (Parliament 1998/99) Bill - (Mr Stockdale)

Governor's Message recommending appropriation and transmitting Estimates	76
First reading	76
Second reading	76
Subsequent proceedings	90, 103, 118, 141
<i>Act No. 37 of 1998</i> <i>Assented to 20 May 1998</i>	

Bills - Short Title – continued

Appropriation (Parliament 1999/2000) Bill - (Mr Stockdale)	
Governor's Message recommending appropriation and transmitting Estimates	298
First reading	299
Second reading	299
Subsequent proceedings	327
<i>Act No. 49 of 1999</i> <i>Assented to 16 June 1999</i>	
Arts Acts (Amendment) Bill - (Mr Kennett)	
First reading	147
Second reading	155
Subsequent proceedings	159, 163, 182, 198
Governor's Message recommending appropriation	162
<i>Act No. 59 of 1998</i> <i>Assented to 27 October 1998</i>	
Arts Acts (Statute Law Revision) Bill - [Privilege Bill] (Mr Gude)	
First reading	6
Second reading	27
Subsequent proceedings	37, 48, 59, 75
<i>Act No. 5 of 1998</i> <i>Assented to 21 April 1998</i>	
Australia Acts (Request) Bill - (Mr Kennett)	
First reading	301
Second reading	305
Subsequent proceedings	338
<i>Act No. 33 of 1999</i> <i>Assented to 8 June 1999</i>	
Bail (Amendment) Bill - (From Council - Mrs Wade)	
First reading	182
Second reading	188
Subsequent proceedings	178, 216, 230
<i>Act No. 64 of 1998</i> <i>Assented to 4 November 1998</i>	
Barley Marketing (Amendment) Bill - (Mr McNamara)	
First reading	236
Second reading	245
Subsequent proceedings	250, 266, 267, 268, 289, 298
Governor's Message recommending appropriation	257
<i>Act No. 1 of 1999</i> <i>Assented to 28 April 1999</i>	

Bills - Short Title – continued

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

First reading	42
Second reading	45
Subsequent proceedings	57, 77, 90, 105
Governor's Message recommending appropriation	59
<i>Act No. 18 of 1998</i> <i>Assented to 5 May 1998</i>	

Building (Plumbing) Bill - (From Council - Mr Maclellan, Pakenham)

First reading	184
Second reading	194
Subsequent proceedings	178, 216-7, 230
<i>Act No. 75 of 1998</i> <i>Assented to 10 November 1998</i>	
And see "Divisions in House"	

Business Licensing Authority Bill - (Mrs Wade)

First reading	63
Second reading	69
Subsequent proceedings	73, 117, 141, 142
Governor's Message recommending appropriation	75
Motion for concurrent debate	91
<i>Act No. 49 of 1998</i> <i>Assented to 2 June 1998</i>	

Catchment and Land Protection (Amendment) Bill - (Mrs Tehan)

First reading	89
Second reading	91
Subsequent proceedings	103, 119-20, 135, 141
Governor's Message recommending appropriation	105
<i>Act No. 39 of 1998</i> <i>Assented to 26 May 1998</i>	
And see "Divisions in House"	

Chattel Securities (Amendment) Bill - (Mrs Wade)

First reading	183
Second reading	192
Subsequent proceedings	226, 247, 256
Governor's Message recommending appropriation	231
<i>Act No. 88 of 1998</i> <i>Assented to 24 November 1998</i>	

Bills - Short Title – continued

Chinese Medicine Registration Bill - (Dr Napthine)	
First reading	335
Second reading	350
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	350
Subsequent proceedings	
Classification (Publications, Films and Computer Games) (Enforcement) (Amendment) Bill - (Mrs Wade)	
First reading	63
Second reading	68
Subsequent proceedings	73, 149, 184, 198, 306
Governor's Message recommending appropriation <i>Act No. 60 of 1998</i> <i>Assented to 27 October 1998</i>	75
Commonwealth Places (Mirror Taxes Administration) Bill – (Mr Stockdale)	
First reading	301
Second reading	306
Subsequent proceedings	344
Governor's Message recommending appropriation <i>Act No. 34 of 1999</i> <i>Assented to 8 June 1999</i>	311
Conservation, Forests and Lands (Miscellaneous Amendments) Bill – (Mrs Tehan)	
First reading	148
Second reading	156
Subsequent proceedings	159, 170, 216, 230
Governor's Message recommending appropriation <i>Act No. 76 of 1998</i> <i>Assented to 10 November 1998</i> And see "Divisions in Committee" "Divisions in House"	162
Constitution (Requests) Bill - (Mr Kennett)	
First reading	335
Second reading	350
Subsequent proceedings	

Bills - Short Title – continued

Consumer Credit (Finance Brokers) Bill - (Mrs Wade)

First reading	148
Second reading	156
Subsequent proceedings	160, 167-8, 172-3, 215 226, 230

Act No. 77 of 1998 *Assented to 10 November 1998*
And see "Divisions in House"

Coroners (Amendment) Bill - (Mrs Wade)

First reading	261
Second reading	268
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	268
Subsequent proceedings	272, 278, 303
Absolute majority obtained	278

Act No. 7 of 1999 *Assented to 11 May 1999*

Credit (Amendment) Bill - (Mrs Wade)

First reading	50
Second reading	54
Subsequent proceedings	57, 78, 90, 105

Act No. 19 of 1998 *Assented to 5 May 1998*

Crimes (Amendment) Bill - (From Council - Mr Stockdale)

First reading	182
Second reading	188
Subsequent proceedings	178, 215, 230

Act No. 65 of 1998 *Assented to 4 November 1998*
And see "Divisions in Committee"

**Crimes, Confiscation and Evidence Acts (Amendment) Bill –
(Mrs Wade)**

First reading	212
Second reading	220
Subsequent proceedings	226, 231, 232, 241, 247

Act No. 80 of 1998 *Assented to 13 November 1998*

Bills - Short Title – continued

Crimes (Criminal Trials) Bill - (Mrs Wade)	
First reading	302
Second reading	307
Subsequent proceedings	336
Governor's Message recommending appropriation	311
<i>Act No. 35 of 1999</i> <i>Assented to 8 June 1999</i>	
Crimes (Family Violence) (Amendment) Bill - (Mrs Wade)	
First reading	42
Second reading	44
Subsequent proceedings	57, 66, 90, 105
<i>Act No. 20 of 1998</i> <i>Assented to 5 May 1998</i>	
Data Protection Bill - (Mr Stockdale)	
First reading	335
Second reading	350
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	350
Subsequent proceedings	
Dental Practice Bill - (Dr Napthine)	
First reading	286
Second reading	292
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	292
Subsequent proceedings	296, 316
Governor's Message recommending appropriation	298
Absolute majority obtained	316
<i>Act No. 26 of 1999</i> <i>Assented to 1 June 1999</i>	
Dried Fruits (Repeal) Bill - (Mr McNamara)	
First reading	62
Second reading	67
Subsequent proceedings	73, 102, 117, 141
Governor's Message recommending appropriation	75
<i>Act No. 27 of 1998</i> <i>Assented to 19 May 1998</i>	
Drugs, Poisons and Controlled Substances (Amendment) Bill - (From Council - Mr Gude)	
First reading	61
Second reading	66
Subsequent proceedings	57, 76, 89
<i>Act No. 9 of 1998</i> <i>Assented to 28 April 1998</i>	

Bills - Short Title – continued

Education Acts (Amendment) Bill - (Mr Gude)

First reading	260
Second reading	268
Subsequent proceedings	272, 287, 289-90
And see "Divisions in House"	
<i>Act No. 15 of 1999</i>	<i>Assented to 18 May 1999</i>

Education (Amendment) Bill - (Mr Gude)

First reading	166
Second reading	176
Subsequent proceedings	178, 184, 187, 235, 256
<i>Act No. 82 of 1998</i>	<i>Assented to 17 November 1998</i>

Education (Self-Governing Schools) Bill - (Mr Gude)

First reading	62
Second reading	67
Subsequent proceedings	73, 97-8, 118, 141
Governor's Message recommending appropriation	75
<i>Act No. 28 of 1998</i>	<i>Assented to 19 May 1998</i>
And see "Divisions in House"	

Education (Teachers) Bill - (Mr Gude)

First reading	33
Second reading	35
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	35
Subsequent proceedings	37, 43, 61, 75
Absolute majority obtained	43
<i>Act No. 6 of 1998</i>	<i>Assented to 21 April 1998</i>

Electricity Industry Acts (Amendment) Bill - (Mr Stockdale)

First reading	183
Second reading	193
Subsequent proceedings	226, 242, 256
Governor's Message recommending appropriation	231
<i>Act No. 89 of 1998</i>	<i>Assented to 24 November 1998</i>

Bills - Short Title – continued

Electricity Industry (Amendment) Bill - (Mr Stockdale)	
First reading	42
Second reading	44
Subsequent proceedings	57, 59, 81, 89
Governor's Message recommending appropriation	59
<i>Act No. 10 of 1998</i> <i>Assented to 28 April 1998</i>	
Electricity Industry Acts (Further Amendment) Bill – (Mr Stockdale)	
First reading	301
Second reading	306
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	306
Subsequent proceedings	335, 345, 353
Governor's Message recommending appropriation	311
Absolute majority obtained	353
<i>Act No. 36 of 1999</i> <i>Assented to 8 June 1999</i>	
Electricity Safety Bill - (Mr Kennett)	
First reading	33
Second reading	39
Subsequent proceedings	57, 65, 70-1, 95, 104, 105
Governor's Message recommending appropriation	41
<i>Act No. 25 of 1998</i> <i>Assented to 12 May 1998</i>	
And see "Divisions in House"	
Environment Protection (Amendment) Bill - (Mrs Tehan)	
First reading	236
Second reading	245
Subsequent proceedings	250, 265-6, 289, 298
Governor's Message recommending appropriation	257
And see "Divisions in House"	
<i>Act No. 2 of 1999</i> <i>Assented to 28 April 1999</i>	
Estate Agents (Amendment) Bill - (Mrs Wade)	
First reading	302
Second reading	307
Subsequent proceedings	
Governor's Message recommending appropriation	311

Bills - Short Title – continued

Evidence (Confidential Communications) Bill - (Mrs Wade)	
First reading	42
Second reading	44
Subsequent proceedings	57, 65, 70, 71-2, 95, 105
<i>Act No. 21 of 1998</i> <i>Assented to 5 May 1998</i>	
And see "Divisions in House"	
Fair Trading Bill - (Mrs Wade)	
First reading	261
Second reading	268
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	268
Subsequent proceedings	272, 273, 287, 290, 296
Absolute majority obtained	290
<i>Act No. 16 of 1999</i> <i>Assented to 18 May 1999</i>	
Fair Trading (Inspectors Powers and other Amendments) Bill – (Mrs Wade)	
First reading	275
Second reading	277
Subsequent proceedings	289, 296, 299-300
<i>Act No. 17 of 1999</i> <i>Assented to 18 May 1999</i>	
Financial Management (Amendment) Bill - (Mr Kennett)	
First reading	33
Second reading	35
Subsequent proceedings	37, 40, 48, 59
Governor's Message recommending appropriation	39
<i>Act No. 1 of 1998</i> <i>Assented to 31 March 1998</i>	
And see "Divisions in House"	
Financial Sector Reform (Victoria) Bill - (Mrs Wade)	
First reading	286
Second reading	292
Subsequent proceedings	296, 313, 323-4
Governor's Message recommending appropriation	298
And see "Divisions in House"	
<i>Act No. 37 of 1999</i> <i>Assented to 8 June 1999</i>	

Bills - Short Title – continued

**Fire and Emergency Services Acts (Amendment) Bill -
(Mr McGrath, Wimmera)**

First reading	15
Second reading	29
Subsequent proceedings	37, 50, 77, 89
Governor's Message recommending appropriation <i>Act No. 11 of 1998</i> <i>Assented to 28 April 1998</i>	39
And see "Divisions in House"	

Firearms (Amendment) Bill - (Mr McGrath, Wimmera)

First reading	15
Second reading	29
Subsequent proceedings	29, 37, 50, 51-3, 79, 85, 105
Governor's Message recommending appropriation <i>Act No. 22 of 1998</i> <i>Assented to 5 May 1998</i>	39
And see "Divisions in House"	

Food (Amendment) Bill - (Mr McNamara)

First reading	301
Second reading	305
Subsequent proceedings	305-6, 336-8, 352-3
And see "Divisions in House"	

Freedom of Information (Amendment) Bill - (Mrs Wade)

First reading	302
Second reading	307
Subsequent proceedings	307, 345, 352
Governor's Message recommending appropriation <i>Act No. 38 of 1999</i> <i>Assented to 8 June 1999</i>	311
And see "Divisions in House"	

Fundraising Appeals Bill - (Mrs Wade)

First reading	91
Second reading	97
Subsequent proceedings	103, 154, 203-4, 212-3, 230
Governor's Message recommending appropriation <i>Act No. 78 of 1998</i> <i>Assented to 10 November 1998</i>	105
And see "Divisions in House"	

Bills - Short Title – continued

Gaming Acts (Amendment) Bill - (Mr Stockdale)	
First reading	62
Second reading	68
Subsequent proceedings	74, 97, 115, 141
<i>Act No. 29 of 1998</i> <i>Assented to 19 May 1998</i>	
Gaming Acts (Further Amendment) Bill - (Mr Reynolds)	
First reading	183
Second reading	191
Subsequent proceedings	191-2, 226, 246, 256
Governor's Message recommending appropriation	231
<i>Act No. 90 of 1998</i> <i>Assented to 24 November 1998</i>	
And see "Divisions in House"	
Gaming No. 2 (Amendment) Bill - (From Council - Mr Reynolds)	
First reading	77
Second reading	84
Subsequent proceedings	57, 115, 141
<i>Act No. 30 of 1998</i> <i>Assented to 19 May 1998</i>	
Gas Industry Acts (Amendment) Bill - (Mr Stockdale)	
First reading	183
Second reading	193
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	193
Amended Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	231
Subsequent proceedings	193, 237, 242-3, 250, 256
Governor's Message recommending appropriation	231
Absolute majority obtained	243
<i>Act No. 91 of 1998</i> <i>Assented to 24 November 1998</i>	
And see "Divisions in House"	
Gas Industry Acts (Further Amendment) Bill - (Mr Stockdale)	
First reading	302
Second reading	306
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	306, 325
Subsequent proceedings	332, 335, 345, 353
Governor's Message recommending appropriation	311
Absolute majority obtained	345, 351
<i>Act No. 38 of 1999</i> <i>Assented to 8 June 1999</i>	

Bills - Short Title – continued

Gas Industry (Amendment) Bill - (Mr Stockdale)	
First reading	79
Second reading	85
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	85
Subsequent proceedings	104, 107, 118-9, 141, 226
Governor's Message recommending appropriation	105
Absolute majority obtained	119
<i>Act No. 40 of 1998</i> <i>Assented to 26 May 1998</i>	
And see "Divisions in House"	
Gas Pipelines Access (Victoria) Bill - (Mr Stockdale)	
First reading	62
Second reading	68
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	68
Subsequent proceedings	73, 93, 104, 111, 141
Governor's Message recommending appropriation	75
Absolute majority obtained	93
<i>Act No. 31 of 1998</i> <i>Assented to 19 May 1998</i>	
Geographic Place Names Bill - (Mrs Tehan)	
First reading	33
Second reading	36
Subsequent proceedings	37, 42, 66, 75
Governor's Message recommending appropriation	39
<i>Act No. 7 of 1998</i> <i>Assented to 21 April 1998</i>	
Government Superannuation Bill - (Mr Stockdale)	
First reading	260
Second reading	267
Subsequent proceedings	272, 273, 284, 303
<i>Act No. 8 of 1999</i> <i>Assented to 11 May 1999</i>	
And see "Divisions in House"	
Guardianship and Administration (Amendment) Bill - (Mrs Wade)	
First reading	286
Second reading	292
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	292
Subsequent proceedings	296, 316
<i>Act No. 40 of 1999</i> <i>Assented to 8 June 1999</i>	

Bills - Short Title – continued

**Health Acts (Statute Law Revision) Bill -
(From Council - Mr Gude)**

First reading	61
Second reading	66
Subsequent proceedings	37, 77, 89
<i>Act No. 12 of 1998</i>	<i>Assented to 28 April 1998</i>

Health Services (Amendment) Bill - (From Council - Mr Cooper)

First reading	60
Second reading	70
Subsequent proceedings	57, 77, 89
<i>Act No. 13 of 1998</i>	<i>Assented to 28 April 1998</i>

Health Services (Further Amendment) Bill - (Dr Napthine)

First reading	148
Second reading	156
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	156
Subsequent proceedings	160, 170-1, 219, 226, 230 250
Absolute majority obtained	171
And see "Divisions in House"	
<i>Act No. 66 of 1998</i>	<i>Assented to 4 November 1998</i>

Heritage Rivers (Amendment) Bill - (Mrs Tehan)

First reading	63
Second reading	69
Subsequent proceedings	73, 100, 115, 141
<i>Act No. 32 of 1998</i>	<i>Assented to 19 May 1998</i>
And see "Divisions in House"	

Interactive Gaming (Player Protection) Bill - (Mr Stockdale)

First reading	302
Second reading	306
Subsequent proceedings	336
Governor's Message recommending appropriation	311
<i>Act No. 41 of 1999</i>	<i>Assented to 8 June 1999</i>

Bills - Short Title – continued

International Transfer of Prisoners (Victoria) Bill - (Mr McGrath, Wimmera)	
First reading	91
Second reading	97
Subsequent proceedings	103, 135, 180, 206, 230
<i>Act No. 67 of 1998</i> <i>Assented to 4 November 1998</i>	
Juries Bill - (Mrs Wade)	
First reading	326
Second reading	344
Subsequent proceedings	
Land (Further Revocation of Reservations) Bill - (Mrs Tehan)	
First reading	148
Second reading	156
Subsequent proceedings	160, 168, 203, 230
Governor's Message recommending appropriation	162
<i>Act No. 68 of 1998</i> <i>Assented to 4 November 1998</i>	
Land (Reservations and Other Matters) Bill - (Mrs Tehan)	
First reading	260
Second reading	291
Subsequent proceedings	296, 321-23
Governor's Message recommending appropriation	298
<i>Act No. 27 of 1999</i> <i>Assented to 1 June 1999</i>	
And see "Divisions in House"	
Land (Revocation of Reservations) Bill - (Mrs Tehan)	
First reading	63
Second reading	69
Subsequent proceedings	73, 145, 182, 198
Governor's Message recommending appropriation	75
<i>Act No. 61 of 1998</i> <i>Assented to 27 October 1998</i>	
Land Tax (Amendment) Bill - (Mr Stockdale)	
First reading	80
Second reading	84
Subsequent proceedings	103, 105, 108, 114, 141
Governor's Message recommending appropriation	105
Governor's Message recommending further appropriation	105
<i>Act No. 41 of 1998</i> <i>Assented to 26 May 1998</i>	

Bills - Short Title – continued

Land Titles Validation (Amendment) Bill - (Mr Kennett)	
First reading	199
Second reading	212
Subsequent proceedings	212, 226, 240-1, 256
Governor's Message recommending appropriation	231
<i>Act No. 92 of 1998</i> <i>Assented to 24 November 1998</i>	
And see "Divisions in House"	
Legal Aid (Amendment) Bill - (Mrs Wade)	
First reading	183
Second reading	192
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	192
Subsequent proceedings	226, 237, 256
Absolute majority obtained	237
Governor's Message recommending appropriation	231
<i>Act No. 93 of 1998</i> <i>Assented to 24 November 1998</i>	
And see "Divisions in Committee"	
Legal Practice (Amendment) Bill - (Mrs Wade)	
First reading	148
Second reading	156
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	156
Subsequent proceedings	160, 168, 206, 230
Absolute majority obtained	168
<i>Act No. 79 of 1998</i> <i>Assented to 10 November 1998</i>	
Legal Practice (Practising Certificates) Bill - (Mrs Wade)	
First reading	261
Second reading	268
Subsequent proceedings	272, 275, 303
<i>Act No. 9 of 1999</i> <i>Assented to 11 May 1999</i>	
Licensing and Tribunal (Amendment) Bill - (Mrs Wade)	
First reading	183
Second reading	192
Subsequent proceedings	226, 237, 256, 257
Governor's Message recommending appropriation	231
<i>Act No. 101 of 1998</i> <i>Assented to 1 December 1998</i>	

Bills - Short Title – continued

Liquor Control Reform Bill - (Mr Reynolds)

First reading	165
Second reading	173
Subsequent proceedings	173-4, 178, 202-3, 220-1 242, 256
Governor's Message recommending appropriation	179
<i>Act No. 94 of 1998</i> <i>Assented to 24 November 1998</i>	
And see "Divisions in House"	

Livestock Disease Control (Amendment) Bill - (Mr McNamara)

First reading	113
Second reading	117
Subsequent proceedings	135, 184, 233, 256
Instruction to Committee	180
<i>Act No. 83 of 1998</i> <i>Assented to 17 November 1998</i>	

Local Government (Amendment) Bill - (Mr Maclellan, Pakenham)

First reading	80
Second reading	84
Subsequent proceedings	103, 143-4, 144, 149-50, 154-5, 164, 179
Absolute majority obtained	150, 155
<i>Act No. 54 of 1998</i> <i>Assented to 13 October 1998</i>	
And see "Divisions in House"	

**Local Government (Darebin City Council) Bill -
(Mr Maclellan, Pakenham)**

First reading	64
Second reading	70
Subsequent proceedings	73, 97, 115, 141
Absolute majority obtained	97
<i>Act No. 33 of 1998</i> <i>Assented to 19 May 1998</i>	

**Local Government (Governance and Melton) Bill -
(Mr Maclellan, Pakenham)**

First reading	166
Second reading	175
Subsequent proceedings	178, 207-9, 221-2, 245, 256
Absolute majority obtained	222
<i>Act No. 86 of 1998</i> <i>Assented to 17 November 1998</i>	
And see "Divisions in House"	

Bills - Short Title – continued

Local Government (Melbourne City Council Rates) Bill –
(Mr Maclellan, Pakenham)

First reading	286
Second reading	291
Subsequent proceedings	296, 299, 303
<i>Act No. 23 of 1999</i>	<i>Assented to 25 May 1999</i>

Local Government (Nillumbik Shire Council) Bill –
(Mr Maclellan, Pakenham)

First reading	182
Second reading	188
Subsequent proceedings	188-90, 226, 232-3, 256
Absolute majority obtained	233
<i>Act No. 95 of 1998</i>	<i>Assented to 24 November 1998</i>
And see "Divisions in House"	

Longford Royal Commission (Report) Bill –
(Mr Kennett)

First reading	315
Second reading	317
Subsequent proceedings	350
<i>Act No. 42 of 1999</i>	<i>Assented to 8 June 1999</i>
And see "Divisions in Committee" "Divisions in House"	

Mackillop Family Services Bill - (From Council - Dr Napthine)

First reading	184
Second reading	194
Subsequent proceedings	178, 216, 230
Bill ruled a Private Bill, treated as a Public Bill, Fees dispensed with	216
<i>Act No. 69 of 1998</i>	<i>Assented to 4 November 1998</i>

Magistrates' Court (Amendment) Bill - (Mrs Wade)

First reading	211
Second reading	219
Subsequent proceedings	250, 257, 261-2, 272, 296, 300
Governor's Message recommending appropriation	231
<i>Act No. 10 of 1999</i>	<i>Assented to 11 May 1999</i>
And see "Divisions in Committee" "Divisions in House"	

Bills - Short Title – continued

Marine (Amendment) Bill - (From Council - Mr Cooper)

First reading	313
Second reading	316
Subsequent proceedings	296, 316, 338-40
<i>Act No. 28 of 1999</i> <i>Assented to 1 June 1999</i>	

Melbourne and Olympic Parks (Amendment) Bill - (Mrs Tehan)

First reading	80
Second reading	84
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	84
Subsequent proceedings	103, 110, 120, 135, 141
Governor's Message recommending appropriation	105
Absolute majority obtained	110
<i>Act No. 42 of 1998</i> <i>Assented to 26 May 1998</i>	
And see "Divisions in House"	

Melbourne City Link (Amendment) Bill - (Mr Maclellan, Pakenham)

First reading	182
Second reading	188
Subsequent proceedings	226, 246-7, 256, 257
Governor's Message recommending appropriation	231
<i>Act No. 102 of 1998</i> <i>Assented to 1 December 1998</i>	
And see "Divisions in House"	

**Melbourne City Link (Exhibition Street Extension) Bill -
(Mr Maclellan, Pakenham)**

First reading	80
Second reading	84
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	84
Subsequent proceedings	104, 111, 141, 142
Governor's Message recommending appropriation	106
Absolute majority obtained	111
<i>Act No. 50 of 1998</i> <i>Assented to 2 June 1998</i>	
And see "Divisions in House"	

Bills - Short Title – continued

Melbourne Cricket Ground (Amendment) Bill - (Mrs Tehan)	
First reading	165
Second reading	174
Subsequent proceedings	174-5, 178, 204-6, 222-3 242, 257
<i>Act No. 104 of 1998</i> <i>Assented to 1 December 1998</i>	
And see "Divisions in House"	
Mental Health (Amendment) Bill - (Dr Napthine)	
First reading	286
Second reading	292
Subsequent proceedings	296, 299, 303
Governor's Message recommending appropriation	298
<i>Act No. 29 of 1999</i> <i>Assented to 1 June 1999</i>	
Miscellaneous Acts (Omnibus No. 1) Bill - (Mrs Wade)	
First reading	79
Second reading	83
Subsequent proceedings	83, 104, 122-8, 141, 142
Governor's Message recommending appropriation	106
<i>Act No. 43 of 1998</i> <i>Assented to 26 May 1998</i>	
And see "Divisions in House"	
Mutual Recognition (Victoria) Bill - (Mr Kennett)	
First reading	147
Second reading	155
Subsequent proceedings	160, 163, 182, 198, 226
<i>Act No. 62 of 1998</i> <i>Assented to 27 October 1998</i>	
National Parks (Amendment) Bill - (Mrs Tehan)	
First reading	63
Second reading	77
Subsequent proceedings	103, 145-6, 203, 230
Governor's Message recommending appropriation	106
<i>Act No. 70 of 1998</i> <i>Assented to 4 November 1998</i>	
And see "Divisions in House"	

Bills - Short Title – continued

**New Tax System Price Exploitation Code (Victoria) Bill –
(Mr Kennett)**

First reading	286
Second reading	291
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	291
Subsequent proceedings	296, 313, 323
Governor's Message recommending appropriation <i>Act No. 43 of 1999 Assented to 8 June 1999</i>	298

Office of the Regulator-General (Amendment) Bill - (Mr Stockdale)

First reading	260
Second reading	267
Subsequent proceedings	272, 277-8, 301
<i>Act No. 11 of 1999 Assented to 11 May 1999</i> And see "Divisions in House"	

Parks Victoria Bill - (Mrs Tehan)

First reading	62
Second reading	77
Subsequent proceedings	103, 120, 121-2, 141, 142
Governor's Message recommending appropriation <i>Act No. 44 of 1998 Assented to 26 May 1998</i> And see "Divisions in House"	106

Patriotic Funds (Amendment) Bill - (From Council - Mrs Wade)

First reading	182
Second reading	188
Subsequent proceedings	178, 216, 230
<i>Act No. 71 of 1998 Assented to 4 November 1998</i>	

Petroleum Bill - (Mr McNamara)

First reading	147
Second reading	156
Subsequent proceedings	160, 164, 171-2, 219, 226, 250, 256
Governor's Message recommending appropriation <i>Act No. 96 of 1998 Assented to 24 November 1998</i> And see "Divisions in House"	162

Bills - Short Title – continued

Physiotherapists Registration Bill - (Dr Napthine)	
First reading	79
Second reading	83
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	83
Subsequent proceedings	104, 148, 154, 164, 179
Absolute majority obtained	148
Governor's Message recommending appropriation	106
Act No. 55 of 1998 Assented to 13 October 1998	
 Planning and Environment (Amendment) Bill – (Mr Maclellan, Pakenham)	
First reading	147
Second reading	156
Subsequent proceedings	160, 166, 203, 230
Act No. 72 of 1998 Assented to 4 November 1998	
 Police Regulation and Firearms (Amendment) Bill – (Mr McGrath, Wimmera)	
First reading	286
Second reading	291
Subsequent proceedings	291-2, 296, 318-21
Governor's Message recommending appropriation	298
Act No. 30 of 1999 Assented to 1 June 1999	
And see "Divisions in House"	
 Printers and Newspapers (Repeal) Bill - (Mrs Wade)	
First reading	63
Second reading	68
Subsequent proceedings	73, 149, 166, 179
Act No. 56 of 1998 Assented to 13 October 1998	
 Property Law (Amendment) Bill - (Mrs Wade)	
First reading	42
Second reading	45
Subsequent proceedings	57, 66, 90, 105
Act No. 23 of 1998 Assented to 5 May 1998	

Bills - Short Title – continued

Prostitution Control (Amendment) Bill - (Mrs Wade)

First reading	302
Second reading	306
Subsequent proceedings	333
<i>Act No. 44 of 1999</i>	<i>Assented to 8 June 1999</i>

Public Correctional Services Authority Bill - (Mr McGrath, Wimmera)

First reading	91
Second reading	97
Subsequent proceedings	103, 250
Governor's Message recommending appropriation	106
Bill withdrawn	265

Public Prosecutions (Amendment) Bill - (Mrs Wade)

First reading	33
Second reading	36
Subsequent proceedings	37, 42, 51, 59
<i>Act No. 2 of 1998</i>	<i>Assented to 31 March 1998</i>

**Public Sector Management and Employment Bill -
(Mr Kennett)**

First reading	62
Second reading	82
Subsequent proceedings	82, 104, 108, 115, 129-30, 141, 142
Governor's Message recommending appropriation	106
Motion for concurrent debate	106
<i>Act No. 45 of 1998</i>	<i>Assented to 26 May 1998</i>
And see "Divisions in House"	

Public Sector Reform (Further Amendments) Bill - (Mr Kennett)

First reading	236
Second reading	245
Subsequent proceedings	250, 262-3, 301
<i>Act No. 12 of 1999</i>	<i>Assented to 11 May 1999</i>
And see "Divisions in House"	

Bills - Short Title – continued

**Public Sector Reform (Miscellaneous Amendments) Bill -
(Mr Kennett)**

First reading	61
Second reading	81
Subsequent proceedings	104, 108, 115, 128-9, 141, 142
Motion for concurrent debate	106
Absolute majority obtained	129
<i>Act No. 46 of 1998</i>	<i>Assented to 26 May 1998</i>
And see "Divisions in House"	

Racing and Betting Acts (Amendment) Bill - (Mr Reynolds)

First reading	183
Second reading	191
Subsequent proceedings	226, 233, 256
Governor's Message recommending appropriation	231
<i>Act No. 97 of 1998</i>	<i>Assented to 24 November 1998</i>

Rail Corporations (Amendment) Bill - (Mr Stockdale)

First reading	80
Second reading	84
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	84
Subsequent proceedings	103, 108-9, 120, 142
Governor's Message recommending appropriation	106
Absolute majority obtained	109
<i>Act No. 47 of 1998</i>	<i>Assented to 26 May 1998</i>
And see "Divisions in House"	

**Rail Corporations and Transport Acts (Amendment) Bill –
(Mr Cooper)**

First reading	301
Second reading	305
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	305
Subsequent proceedings	349, 350, 351
Governor's Message recommending appropriation	311
<i>Act No. 45 of 1999</i>	<i>Assented to 8 June 1999</i>
And see "Divisions in House"	

Bills - Short Title – continued

Rail Corporations (Further Amendment) Bill - (Mr Stockdale)	
First reading	183
Second reading	199
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	199
Notice of intention to make a statement in lieu of previous statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	218
Amended Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	231-2
Subsequent proceedings	199-200, 226, 241-2, 256
Governor's Message recommending appropriation	231
Absolute majority obtained	242
<i>Act No. 98 of 1998</i> <i>Assented to 24 November 1998</i> And see "Divisions in House"	
Retail Tenancies Reform Bill - (Mr Reynolds)	
First reading	16
Second reading	29
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	29
Subsequent proceedings	37, 53-4, 79, 89
Governor's Message recommending appropriation	39
Absolute majority obtained	54
<i>Act No. 14 of 1998</i> <i>Assented to 28 April 1998</i> And see "Divisions in House"	
Road Safety (Amendment) Bill - (Mr Cooper)	
First reading	63
Second reading - postponed	72
Second reading	77
Subsequent proceedings	103, 149, 166, 179
Governor's Message recommending appropriation	106
<i>Act No. 57 of 1998</i> <i>Assented to 13 October 1998</i>	
Road Safety (Driving Instructors) Bill - (Mr Cooper)	
First reading	63
Second reading	69
Subsequent proceedings	73, 144, 154, 180, 184, 198
<i>Act No. 63 of 1998</i> <i>Assented to 27 October 1998</i>	

Bills - Short Title – continued

Road Safety (Further Amendment) Bill - (From Council - Mrs Wade)	
First reading	182
Second reading	188
Subsequent proceedings	178, 216, 230
<i>Act No. 73 of 1998</i> <i>Assented to 4 November 1998</i>	
Royal Park Land Bill - (Mrs Tehan)	
First reading	335
Second reading	342
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	342
Subsequent proceedings	342-3, 349
Absolute majority obtained	349
<i>Act No. 46 of 1999</i> <i>Assented to 8 June 1999</i>	
And see "Divisions in House"	
Rural Finance (Amendment) Bill - (Mr Stockdale)	
First reading	275
Second reading	277
Subsequent proceedings	289, 296, 299
<i>Act No. 18 of 1999</i> <i>Assented to 18 May 1999</i>	
Sea-Carriage Documents Bill - (Mrs Wade)	
First reading	42
Second reading	44
Subsequent proceedings	57, 64, 90, 105
<i>Act No. 24 of 1998</i> <i>Assented to 5 May 1998</i>	
And see "Divisions in House"	
Sentencing (Amendment) Bill - (Mrs Wade)	
First reading	261
Second reading	269
Subsequent proceedings	289
<i>Act No. 19 of 1999</i> <i>Assented to 18 May 1999</i>	
Shrine of Remembrance (Amendment) Bill - (Mrs Tehan)	
First reading	286
Second reading	292
Subsequent proceedings	296, 304
<i>Act No. 31 of 1999</i> <i>Assented to 1 June 1999</i>	

Bills - Short Title – continued

Stamps (Amendment) Bill - (Mr Stockdale)	
First reading	286
Second reading	293
Subsequent proceedings	296, 299, 303
Governor's Message recommending appropriation	298
<i>Act No. 32 of 1999 Assented to 1 June 1999</i>	
State Taxation Acts (Amendment) Bill - (Mr Stockdale)	
First reading	301
Second reading	306
Subsequent proceedings	332
Governor's Message recommending appropriation	311
<i>Act No. 47 of 1999 Assented to 8 June 1999</i>	
State Taxation (Amendment) Bill - (Mr Stockdale)	
First reading	80
Second reading	84
Subsequent proceedings	103, 108, 115, 135, 141, 142
Governor's Message recommending appropriation	106
<i>Act No. 48 of 1998 Assented to 26 May 1998</i>	
State Taxation (Further Amendment) Bill - (Mr Stockdale)	
First reading	165
Second reading	200
Subsequent proceedings	200-2, 226, 242, 250, 256, 257
Governor's Message recommending appropriation	231
<i>Act No. 103 of 1998 Assented to 1 December 1998</i>	
And see "Divisions in House"	
State Trustees (Amendment) Bill - (Mr Stockdale)	
First reading	42
Second reading	44
Subsequent proceedings	57, 60, 81, 89
<i>Act No. 15 of 1998 Assented to 28 April 1998</i>	

Bills - Short Title – continued

State Trustees (State Owned Company) (Amendment) Bill – (Mr Stockdale)		
First reading		275
Second reading		277
Subsequent proceedings		296, 299
<i>Act No. 20 of 1999</i>	<i>Assented to 18 May 1999</i>	
Statute Law Revision (Repeals) Bill - (Mr Kennett)		
First reading		236
Second reading		245
Subsequent proceedings		250, 262, 285, 298
<i>Act No. 3 of 1999</i>	<i>Assented to 28 April 1999</i>	
St George Bank and Advance Bank Australia Bill - (Mr Stockdale)		
First reading		62
Second reading		68
Subsequent proceedings		73, 109, 142
Governor's Message recommending appropriation		75
Bill ruled a Private Bill, treated as a Public Bill, Fee deposit paid		92
<i>Act No. 51 of 1998</i>	<i>Assented to 2 June 1998</i>	
Summary Offences (Amendment) Bill - (Mrs Wade)		
First reading		33
Second reading		36
Subsequent proceedings		37, 48, 61, 75
<i>Act No. 8 of 1998</i>	<i>Assented to 21 April 1998</i>	
Superannuation Acts (Amendment) Bill - (Mr Stockdale)		
First reading		165
Second reading		173
Subsequent proceedings		178, 186, 233, 256, 303
Governor's Message recommending appropriation		179
<i>Act No. 84 of 1998</i>	<i>Assented to 17 November 1998</i>	
Superannuation Acts (Further Amendment) Bill - (Mr Stockdale)		
First reading		260
Second reading		267
Subsequent proceedings		272, 273, 285
<i>Act No. 13 of 1999</i>	<i>Assented to 11 May 1999</i>	

Bills - Short Title – continued

Surveillance Devices Bill - (Mrs Wade)

First reading	261
Second reading	268
Subsequent proceedings	272, 289, 296
<i>Act No. 21 of 1999</i>	<i>Assented to 18 May 1999</i>

Tattersall Consultations (Amendment) Bill - (Mr Stockdale)

First reading	260
Second reading	267
Subsequent proceedings	272, 274, 285, 298
<i>Act No. 4 of 1999</i>	<i>Assented to 28 April 1999</i>

Tertiary Education (Amendment) Bill - (Mr Honeywood)

First reading	33
Second reading	36
Subsequent proceedings	37, 41, 48, 59
<i>Act No. 3 of 1998</i>	<i>Assented to 31 March 1998</i>

The Constitution Act Amendment (Amendment) Bill - (Mrs Wade)

First reading	275
Second reading	277
Subsequent proceedings	289, 296, 300, 302
<i>Act No. 24 of 1999</i>	<i>Assented to 25 May 1999</i>

**Trade Measurement (Administration) (Amendment) Bill –
(From Council - Mr Reynolds)**

First reading	166
Second reading	166
Subsequent proceedings	166-7, 178, 179
<i>Act No. 58 of 1998</i>	<i>Assented to 13 October 1998</i>

Transfer of Land (Single Register) Bill - (Mrs Tehan)

First reading	113
Second reading	117
Subsequent proceedings	135, 180, 190-1, 235, 256
<i>Act No. 85 of 1998</i>	<i>Assented to 17 November 1998</i>
And see "Divisions in House"	

Bills - Short Title – continued

Transport Accident (Amendment) Bill - (Mr Stockdale)	
First reading	62
Second reading	67
Subsequent proceedings	67-8, 73, 91-2, 104, 109 141
<i>Act No. 34 of 1998</i>	<i>Assented to 19 May 1998</i>
And see "Divisions in House"	
Transport Accident (Further Amendment) Bill - (Mr Stockdale)	
First reading	260
Second reading	267
Subsequent proceedings	272, 274, 285, 298
<i>Act No. 5 of 1999</i>	<i>Assented to 28 April 1999</i>
Transport Acts (Amendment) Bill - (Mr Cooper)	
First reading	42
Second reading	44
Subsequent proceedings	57, 59, 81, 89
<i>Act No. 16 of 1998</i>	<i>Assented to 28 April 1998</i>
Transport (Amendment) Bill - (Mr Cooper)	
First reading	166
Second reading	175
Subsequent proceedings	178, 213-4, 245, 256
Governor's Message recommending appropriation	179
<i>Act No. 99 of 1998</i>	<i>Assented to 24 November 1998</i>
And see "Divisions in House"	
Transport Acts (Further Amendment) Bill - (Mr Cooper)	
First reading	261
Second reading	268
Subsequent proceedings	272, 274, 285, 298
<i>Act No. 6 of 1999</i>	<i>Assented to 28 April 1999</i>
Trans-Tasman Mutual Recognition (Victoria) Bill - (Mr Kennett)	
First reading	33
Second reading	35
Subsequent proceedings	35, 37, 39, 48, 59
<i>Act No. 4 of 1998</i>	<i>Assented to 31 March 1998</i>
And see "Divisions in House"	

Bills - Short Title – continued

Tribunals and Licensing Authorities (Miscellaneous Amendments)

Bill - (Mrs Wade)

First reading	63
Second reading	69
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	69
Subsequent proceedings	73, 108, 117-8, 141, 142
Governor's Message recommending appropriation	75
Motion for concurrent debate	91
Absolute majority obtained	118
<i>Act No. 52 of 1998</i> <i>Assented to 2 June 1998</i>	

Valuation of Land (Amendment) Bill - (Mr Honeywood)

First reading	16
Second reading	30
Subsequent proceedings	37, 48, 66, 89
<i>Act No. 17 of 1998</i> <i>Assented to 28 April 1998</i>	

Victorian Civil and Administrative Tribunal Bill - (Mrs Wade)

First reading	63
Second reading	69
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	69
Subsequent proceedings	73, 108, 117-8, 141, 142
Governor's Message recommending appropriation	75
Motion for concurrent debate	91
Absolute majority obtained	117, 118
<i>Act No. 53 of 1998</i> <i>Assented to 2 June 1998</i> And see "Divisions in Committee"	

Victorian College of the Arts (Amendment) Bill - (Mr Honeywood)

First reading	148
Second reading	157
Subsequent proceedings	160, 184, 191, 237, 256
Governor's Message recommending appropriation	162
<i>Act No. 100 of 1998</i> <i>Assented to 24 November 1998</i>	

Victorian Institute of Marine Sciences (Repeal) Bill - (Mr McNamara)

First reading	147
Second reading	156
Subsequent proceedings	160, 166, 219, 230
Governor's Message recommending appropriation	162
<i>Act No. 74 of 1998</i> <i>Assented to 4 November 1998</i>	

Bills - Short Title – continued

Victorian Plantations Corporation (Amendment) Bill -
(Mr Stockdale)

First reading	62
Second reading	68
Subsequent proceedings	73, 93-5, 111, 141
Governor's Message recommending appropriation <i>Act No. 35 of 1998</i> <i>Assented to 19 May 1998</i>	75
And see "Divisions in House"	

Water Acts (Amendment) Bill - (Mr McNamara)

First reading	260
Second reading	267
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	267
Subsequent proceedings	272, 273, 285, 287, 296
Absolute majority obtained <i>Act No. 22 of 1999</i> <i>Assented to 18 May 1999</i>	287

Water Industry (Amendment) Bill - (Mrs Tehan)

First reading	335
Second reading	350
Subsequent proceedings	

Year 2000 Information Disclosure Bill - (Mr Stockdale)

First reading	260
Second reading	267
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	267
Subsequent proceedings	272, 275, 296, 301
Absolute majority obtained <i>Act No. 14 of 1999</i> <i>Assented to 11 May 1999</i>	275

	Votes Volume 1 Page
BLF (De-recognition) Act 1985 - Report of the Custodian - Thirty-eighth (No. 2 Vol. 2 Place 2)	31
Thirty-ninth (No. 15 Vol. 5 Place 3)	136
Fortieth (No. 18 Vol. 6 Place 2)	136
Forty-first (No. 45 Vol. 10 Place 5)	250
Forty-second (No. 43 Vol. 10 Place 2)	250
Forty-third (No. 55 Vol. 13 Place 1) <i>(tabled in the Legislative Council on 2 June 1999)</i>	
Board of Studies – Report – 1997-98	226
Boort District Hospital – Report – 1997-98	196
Box Hill Institute of TAFE - Report - 1997	74
1998	296
Border Groundwaters Agreement Review Committee - Report - 1996-97	2
1997-98	341
Bright District Hospital and Health Services - Report - Period ended 31 October 1996	116
Bringing Them Home. See “Victorian Government Response to <i>Bringing Them Home</i> Implementation Status Report, November 1998”	
Bromley, Marcus Leonard – See Deputy Clerk	
Budget Outcome Statement 1997-98 And see “Finance”	177
Building Act 1993 - Building Code of Australia 1996 - Amendment No. 2	3
Amendment No. 3	160
Amendment No. 4	276
Minister’s exemption certificate	3, 160, 276
Notice of the making of the amendment	3, 160, 276
And see “Subordinate Legislation Act 1994”	

Building Control Commission – Report –
1997-98

218

	Votes Volume 1 Page
CARITAS Christi Hospice Ltd – Report – 1997-98	244
Casey Institute of TAFE - Report - 1997	74
Central Gippsland Institute of TAFE - Report - 1997	74
1998	296
Central Gippsland Region Water Authority – Report – 1997-98	226
Central Highlands Region Water Authority – Report – 1997-98	226
Central Wellington Health Service – Report – 1997-98	239
Chairmen of Committees (Temporary) - Mr Speaker’s Warrant nominating	13
Temporary relief to Mr Speaker and Mr Deputy-Speaker And see “Deputy-Speaker”	13
Cheltenham and Regional Cemeteries Trust – Report – 1997	160
Chief Electrical Inspector – Report of the Office - 1997-98	196
Child Deaths: Protection and Care – Report – 1998	99
1999	341
Chisholm Institute of TAFE – Report – 1998	296
Cinemia Corporation – Report – 1997-98	210
City West Water Limited – Report – 1997-98	196

	Votes Volume 1 Page
Clerk of the House (Mr R. W. Purdey)	
Appointed	249
Reports clerical error in Bill	324
Cohuna District Hospital and Cohuna Community Nursing Home – Report – 1997-98	196
Colac Community Health Services – Report – 1997-98	178
Coliban Region Water Authority – Report – 1997-98	226
Committees - Names of Members	
And see -	
House Committee	
Law Reform Committee	
Library Committee	
Privileges Committee	
Public Accounts and Estimates Committee	
Road Safety Committee	
Standing Orders Committee	
Commonwealth Treaty Documents. See “Federal-State Relations Committee” and “International Treaty Making and the Role of the States”	
Constitution Act Amendment Act 1958 –	
Report on Mitcham District By-election, 13 December 1997	160
Report on the Northcote District By-election, 15 August 1998	288
And see “Electoral Commissioner”	
Construction Industry Long Service Leave Board (CoInvest) - Report - Period ended 30 November 1997	112
Corangamite Regional Hospital Services – Report – 1997-98	196
Council of Adult Education - Report -	
1997	88
1998	296

	Votes Volume 1 Page
Country Fire Authority – Report – 1997-98	226
County Court of Victoria - Report - 1996-97 1997-98	130 272
Crime Statistics – Motion commending Minister for Police and Emergency Services and the Chief Commissioner of Police	236
Crown Land (Reserves) Act 1978 - Section 17DA orders granting leases or licences under - Section 17B Section 17D	100, 227 90, 100, 136, 181, 227, 251, 288, 296, 304, 310

	Votes Volume 1 Page
DEAKIN University - Report - 1997	96
1998, together with an explanation for the delay in tabling	347
Dental Health Services – Report – 1997-98	227
Deputy Clerk (Mr. M. L. Bromley) Appointed	249
Deputy-Speaker - Temporary Relief to	13
Divisions in Committee - Bills –	
Conservation, Forests and Lands (Miscellaneous Amendments)	
Crimes (Amendment)	
Legal Aid (Amendment)	
Longford Royal Commission (Report)	
Magistrates' Court (Amendment)	
Victorian Civil and Administrative Tribunal	
Divisions in House - Bills (Procedural Classification) -	
Second Reading -	
Reasoned amendment to second reading	40, 51-2, 53-4, 64, 70-1, 71-2, 93-4, 101, 110, 119, 123, 145-6, 171-2, 186-7 190-1, 213-4, 220-1, 243, 266, 277-8, 289-90, 352-3
Motion for second reading	52-3, 92, 94-5, 98, 100, 109, 111, 114, 119-120, 121-2, 128-9, 129-30, 149-50, 170, 171, 216-7, 222, 223, 232, 240-1, 241-2, 246, 247, 261-2, 262-3, 284, 351
Motion to adjourn debate	168, 206-7, 208-9
Motion to adjourn debate until future day	291-2
Amendment to motion to adjourn debate until later that day or future day	35, 67-8, 82, 83, 153-4, 174, 174-5, 189-90, 191-2, 193, 200, 201-2, 202-3, 212, 305-6, 306

Divisions in House - Bills (Procedural Classification) - *continued*

Instruction to Committee - To divide Bill	124-8
Third Reading – Motion for third reading	155, 214
Second reading, third reading and Bill transmitted to Council	352
Second reading, Government amendment be agreed to, third reading and Bill transmitted to Council	172-3
Transmission to Council	221
Council amendments – Printed and taken into consideration tomorrow	203-4
Council amendment be agreed to	215

Divisions in House - Bills (Short Titles) -

Accident Compensation (Amendment)	187
Agriculture Acts (Amendment)	101
Ambulance Services (Amendment)	114
Appeal Costs	206-7
Building (Plumbing)	216-7
Catchment and Land Protection (Amendment)	120
Consumer Credit (Finance Brokers)	167-8, 172-3, 215
Education (Self-Governing Schools)	98
Electricity Safety	71
Evidence (Confidential Communications)	72
Financial Management (Amendment)	40
Financial Sector Reform (Victoria)	324
Firearms (Amendment)	52-3
Food (Amendment)	305-6, 337-8, 353
Freedom of Information (Amendment)	307, 352
Fundraising Appeals	203-4
Gaming Acts (Further Amendment)	191-2, 246
Gas Industry Acts (Amendment)	193, 242-3
Gas Industry (Amendment)	119
Government Superannuation	284
Health Services (Further Amendment)	171
Heritage Rivers (Amendment)	100
Land (Reservations and Other Matters)	322-23
Land Titles Validation (Amendment)	212, 240-1
Liquor Control Reform	174, 202-3, 220-1
Local Government (Amendment)	149-50, 155
Local Government (Governance and Melton)	207-9, 222

Divisions in House - Bills (Short Titles) - *continued*

Local Government (Nillumbik Shire Council)	188-90, 232
Marine (Amendment) Bill	339-40
Melbourne and Olympic Parks (Amendment)	110
Melbourne City Link (Amendment)	246-7
Melbourne City Link (Exhibition Street Extension)	111
Melbourne Cricket Ground (Amendment)	174-5, 204-6, 222-3
Miscellaneous Acts (Omnibus No. 1)	83, 123, 128
National Parks (Amendment)	145-6
Office of the Regulator-General (Amendment)	277-8
Parks Victoria	122
Petroleum	171-2
Police Regulation and Firearms (Amendment)	291-2, 318-21
Public Sector (Miscellaneous Amendments)	129
Public Sector Management and Employment	82, 130
Rail Corporations (Amendment)	109
Rail Corporations (Further Amendment)	199-200, 241-2
Rail Corporations and Transport Acts (Amendment)	351
Royal Park Land	342-3
Sea-Carriage Documents	64
State Taxation (Further Amendment)	200-2
Transfer of Land (Single Register)	190-1
Transport (Amendment)	213-4
Trans-Tasman Mutual Recognition (Victoria)	35
Transport Accident (Amendment)	67-8, 92
Victorian Plantations Corporation (Amendment)	94-5

Divisions in House - Motions (Procedural) -

Adjournment -	
Adjournment Motion discussing matter of Urgent Public Importance	112-3, 210-1, 235-6, 258-9 315
Closure on motions	21-2, 25-6, 152-3, 167, 188-9, 199-200, 201, 205-6, 207-8
Sessional Orders -	
Amendments proposed	22-3
Government Business Program - Motion	107, 163, 198-9, 312, 331
Government Business Program – Motion amending	343-4

Divisions in House - Motions (Procedural) -

Sitting of the House – That the sitting be continued	204-5
Adjournment - To day and hour to be fixed by Mr Speaker	347-9

Divisions in House – Motions (Subject) -

Televising and Broadcasting of Proceedings - Amendments proposed	26, 341
Motion be agreed to	27, 341
Division List - Error Corrected	27, 30, 152
Djerriwarrh Health Service – Report – 1997-98	239
Docklands Authority – Report – 1997-98	218
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. 12, Amendment No. 1 and notice regarding the amendment, commencement and availability of the Poisons Code	3
Amendment No. 2 to the Uniform Scheduling of Drugs and Poisons No. 12, and Notice regarding the amendment, commencement and availability of the Poisons Code	38
Amendment No. 3 to the Uniform Scheduling of Drugs and Poisons No. 12, and Notice regarding the amendment, commencement and availability of the Poisons Code	104
Amendment No. 4 to the Uniform Scheduling of Drugs and Poisons No. 12, and Notice regarding the amendment, commencement and availability of the Poisons Code	160
Amendment No. 1, Part A and Part B to the Uniform Scheduling of Drugs and Poisons No. 13, and Notice regarding the amendment, commencement and availability of the Poisons Code	160

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

Standard for the Uniform Scheduling of Drugs and
Poisons No. 13, Amendment Nos. 1 and 2 ;and
Notice regarding the amendments, commencement
and availability of the Poisons Code

265

	Votes Volume 1 Page
EAST Gippsland Institute of TAFE – Report – 1998	296
Eastern Institute of TAFE - Report - 1997	74
Eastern Regional Waste Management Group – Financial Statements – 1996-97	251
East Gippsland Institute of TAFE - Report - 1997	74
East Gippsland Region Water Authority – Report – 1997-98	227
East Grampians Health Service – Report – 1997-98	185
East Wimmera Health Service – Report – 1997-98	239
Echuca Regional Health – Report – 1997-98	227
Economic Development Committee - Inquiries - Economic Impact of Business Migration in Victoria - Final Report - (No. 8 Vol. 3 Place 3)	116
Effects of Government-Funded National Broadcasting on Victoria (No. 49 Vol. 11 Place 2)	334
Response from the Minister for Industry, Science and Technology on action taken with respect to recommendations	252
EcoRecycle Victoria – Report – 1997-98	196
Education Department – Report – 1997-98	227
Electoral Commissioner - Statement of functions conferred upon And see “Constitution Act Amendment Act 1958”	3, 96, 251

Emerald Tourist Railway Board – Report – 1997-98	227
Emergency Services Superannuation Scheme – Report – 1997-98	181
Environment and Natural Resources Committee - Inquiries -	
Ballast Water and Hull Fouling in Victoria - Report - Response from the Minister for Conservation and Land Management on action taken with respect to recommendations	61
Weeds in Victoria - Report - (No. 12 Vol. 4 Place 2)	121
Response from the Minister for Conservation and Land Management on action taken with respect to recommendations	164
Environment Conservation Council – Report – 1997-98	227
Environment Conservation Council Act 1997 -	
Investigation of Victoria’s Box-Ironbark Forests and Woodland Areas	3
Notice of amendment of request to the Environment Conservation Council to carry out investigation of Victoria’s Box-Ironbark Forests and Woodland Areas	136
Interim Report - Investigation of Marine, Coastal and Estuarine Areas	38
Notice of amendment of request to the Environment Conservation Council to carry out investigation of Victoria’s Marine, Coastal and Estuarine Areas	74, 136, 347
Amended terms of Reference for the Environment Conservation Council to carry out investigation of Victoria’s Marine, Coastal and Estuarine Areas	251

Environment Protection Act 1970 –

Order declaring State Environment Protection Policy - (Groundwaters of Victoria)	3
(Ambient Air Quality)	251
Order declaring Variation of State Environment Protection Policy – (The Air Environmental)	251
Order declaring Industrial Waste Management Policy - (Waste Acid Sulfate Soils)	160, 251, 326
(National Pollutant Inventory)	178
Environment Protection Authority – Report – 1997-98	196
Equal Opportunity Commission – Report – 1997-98 (No. 31 Vol. 8 Place 2)	247

	Votes Volume 1 Page
FAIR Trading and Business Affairs – Report of the Office – 1997-98 (No. 22 Vol. 6 Place 5)	227
Fawkner Crematorium and Memorial Park – Report – 1997	160
Federal-State Relations Committee -	
Comments to the Commonwealth Joint Standing Committee on Treaties on the Subject of Their Inquiries into the Multilateral Agreement on Investment; the Multilateral Agreement on Investment Negotiating Text; and the Commentary to the MAI Negotiating Text	87
Inquiries -	
International Treaty Making and the Role of the States - First Report -	
Response from the Premier on action taken with respect to recommendations	74
Commonwealth Treaty Documents	177, 281-2
Australian Federalism: The Role of the States (No. 34 Vol. 8 Place 5)	218
Australian Federalism and The Role of the States: Comparisons and Recommendations (No. 50 Vol. 11 Place 3)	317
Register of Specific Purpose Payments received by Victoria (No. 58 Vol. 14 Place 1)	329
Finance –	
Budget Outcome Statement 1997-98	177
Auditor-General’s Report on Ministerial Portfolios, May 1998 (No.13 Vol. 5 Place 1)	112
Auditor-General’s Report on Ministerial Portfolios, May 1999 (No.56 Vol. 13 Place 2)	334
Auditor-General’s Report on the Victorian Government’s Finances 1997-98 (No. 41 Vol. 9 Place 5)	225
Response of the Minister for Finance to the Auditor-General’s Report on Ministerial Portfolios of May 1998, the Auditor-General’s Report on the Government’s Annual Financial Statement of October 1997 and Special Reports 1997-98	239
And see “Auditor-General – Special Reports”	

Financial Management Act 1994 -

Notification from Minister advising receipt of certain reports	3, 38, 57, 74, 88, 147, 178, 185, 196, 227, 240, 244-5, 251, 272, 330
Notification from Minister advising receipt of certain reports and the reasons for the delay	3
Notification from Minister advising not in receipt of certain reports	3
Notification from Minister advising not in receipt of certain reports and the reasons for the delay	3
Notification from Minister advising receipt of certain financial statements	3, 310
Budget Paper No. 3 - Report - 1998-99	79
1999-2000	300
Financial Statements for the State of Victoria together with the audit Report of the Auditor-General 1997-98 (No. 38 Vol. 9 Place 2)	196
First Mildura Irrigation Trust – Report – 1997-98	227
Flora and Fauna Guarantee Act 1988 – Order in Council adding items to Schedule 2	136
Forensic Leave Panel – Report – 1998	354
Forests (Bowater-Scott Agreement) Act 1986 - Termination Deed under section 7	3
Forests (Victree Forests Agreement) Act 1989 – Victree Forests Agreement Termination Deed pursuant to section 6	178
Freedom of Information Act 1982 – Report – Of the Attorney-General on the operation of the Act 1997-98	247

	Votes Volume 1 Page
GASCOR – Report – 1997-98	218
Gascor Holdings No. 1 Pty Ltd – Report – 1997-98	218
Gascor Holdings No. 2 Pty Ltd – Report – 1997-98	218
Gascor Holdings No. 3 Pty Ltd – Report – 1997-98	218
Gasmart – Report – Period 26 June 1997 to 30 June 1998	218
GasSafe – Report – 1997-98	227
Gas Services Business Pty Ltd – Report – Period 26 June 1997 to 30 June 1998	218
Gas Transmission Corporation – Report – 1997-98	218
Geelong Cemeteries Trust – Report – 1997	160
Geelong Performing Arts Centre Trust – Report – 1997-98	218
Generation Victoria (Ecogen Energy) – Report – 1997-98	181
Gippsland and Southern Rural Water Authority – Report – 1997-98	227
Gippsland Southern Health Service – Report – 1997-98	240
Glenelg Region Water Authority – Report – 1997-98	227

Gordon Institute of TAFE - Report - 1997	74
1998	296
Goulburn Broken Catchment Authority – Report – 1997-98	245
Goulburn-Murray Rural Water Authority – Report – 1997-98	227
Goulburn Ovens Institute of TAFE - Report - 1997	74
1998	296
Goulburn Valley Base Hospital – Report – 1997-98	228
Goulburn Valley Region Water Authority – Report – 1997-98	228
Governor - Speech on opening Parliament - Reported And see “Address and Reply”, “Messages”	6-12
Grampians Region Water Authority – Report – 1997-98	228
Greyhound Racing Control Board – Report – 1997-98	210
Grievances - Days appointed	27, 162, 257
Noted	41, 79, 182, 275

	Votes Volume 1 Page
HAMILTON Base Hospital - Financial Statements - Five months ended 30 November 1996	58
Report - 1997-98	178
Harness Racing Board - Report - 1997-98	181
Hastings Port (Holding) Corporation - Report - Period ended 30 June 1998	196
Health Services Act 1988 - Report of the Community Visitors - 1997-98 (No. 21 Vol. 6 Place 4)	228
Health Services Commissioner - Report - 1997-98	239
Hepburn Health Service - Report - 1997-98	240
Heritage Council - Report - 1997-98	218
Heywood and District Memorial Hospital - Report - 1997-98	240
Holmesglen Institute of TAFE - Report - 1997	74
1998	296
Hospitals Superannuation Board - Report - 1997-98	210
Period 1 July 1998 to 31 December 1998	296
House Committee - Members appointed	13
Housing Guarantee Fund - Report - 1997-98	248
Human Services Department - Report - 1997-98	228
1997-98 (<i>in lieu of Report previously tabled</i>)	234

	Votes Volume 1 Page
INFERTILITY Treatment Authority – Report – Period 30 June 1996 to 30 September 1998	228
Infrastructure Department – Report – 1997-98	218
Ingelwood and Districts Health Service – Report – 1997-98	228
Inner and Eastern Health Care Network – Financial Statements – 1997-98	196
Intellectual Disability Review Panel – Report – 1997-98	196
Intellectually Disabled Person’s Services Act 1986 – Report of the Community Visitors– 1997-98	228
International Treaty Making and the Role of the States – Commonwealth Treaty Documents And see “Federal-State Relations Committee”	177, 281-2
Interpretation of Legislation Act 1984 - Documents relating to - Section 32 (3) (a) - Order varying State environment Protection Policy (Groundwaters of Victoria) Statutory Rules	4 66, 136, 245, 252, 288
Section 32 (4) (a) (iii) - Amendment No. 2 of the Building Code of Australia 1996 Amendment No. 3 of the Building Code of Australia 1996	47 252

JUDICIAL Remuneration Tribunal - Report - Judicial Salary and Allowances, 31 March 1998	104
Judicial Salary and Allowances, 22 December 1998 and statement of reasons from the Attorney-General for accepting certain recommendations contained in the Report	252
Judicial Remuneration Tribunal Act 1995 - Statement of reasons for not accepting and for varying certain recommendations contained in the Report of the Judicial Remuneration Tribunal on Judicial Salary and Allowances	152
Justice Department – Report – 1997-98	228

KANGAN Batman Institute of TAFE - Report - 1997	74
1998	296
Keilor Cemetery Trust – Report – Period 1 July 1995 to 31 December 1996	147
1997	147
Kerang and District Hospital – Report – 1997-98	196
Kyabram and District Memorial Community Hospital – Report – 1997-98	228
Kyneton District Health Service – Report – 1997-98	228

	Votes Volume 1 Page
LATROBE Regional Hospital –Report – 1997-98	196
La Trobe University - Report - 1997	88
1998, together with an explanation for the delay in tabling	347
Law Reform Committee -	
Member appointed	152
Member discharged	152
Inquiries –	
Criminal Liability for Self-Induced Intoxication (No. 53 Vol. 12 Place 3)	334
Legal Liability of Health Service Providers - Final Report - Response from the Minister for Health on action taken with respect to recommendations	4
Review of the <i>Fences Act 1968</i> (No. 37 Vol. 9 Place 1)	234
Technology and the Law (No. 52 Vol. 12 Place 2)	346
Legal Ombudsman – Report – 1997-98 (No. 32 Vol. 8 Place 3)	228
Legal Practice Act 1996 – Report –	
Legal Ombudsman on Multi-Disciplinary Practices, June 1998	181
Practitioner Remuneration Order pursuant to section 113	234
Government Response to the Report of the Legal Ombudsman regarding Multi-Disciplinary Practices	276
Legal Practice Board – Report – 1997-98	248
Legal Practitioners Liability Committee – Report – 1997-98	228
Library Committee - Members appointed	13
Lilydale Memorial Park and Cemetery Trust – Report – 1997	160
Liquor Licensing Commission – Report – 1997-98	210

Local Authorities Superannuation Board – Report – 1997-98	228
Local Authorities Superannuation Fund - Report - Actuarial Investigation as at 30 June 1997	38
Local Government Act 1989 – Order in Council suspending Council and appointing an Administrator	178
Longford Gas Plant – Explosion – Report (Ordered to be printed pursuant to the Longford Royal Commission (Report) Act 1999 (No. 61 Vol. 15 Place 1) And see “Adjournment Motion”	
Lorne Community Hospital – Report – 1997-98	228
Lower Murray Region Water Authority – Report – 1997-98	228
Loy Yang B Power Station Pty Ltd– Report – 1997-98	219

	Votes Volume 1 Page
McIVOR Health and Community Services – Report – 1997-98	196
Magistrates' Council - Report - 1996-97	130
1997-98	250
Maldon Hospital and Community Care – Report – 1997-98	197
Mallee Track Health and Community Service – Report – 1997-98	228
Manangatang and District Hospital – Report – 1997-98	228
Marine and Freshwater Resources Institute – Report – 1997-98	228
Marine Board of Victoria – Report – 1997-98	219
Maryborough District Health Service – Report – 1997-98	197
Medical Practitioners Board - Report - Year ended 30 September – 1997	51
1998	296
Melbourne and Olympic Parks Trust – Report – 1996-97, together with an explanation for the delay in tabling 1997-98	136 240

Melbourne City Link Act 1995 - Notification from the Minister
for Planning and Local Government of amendments to the
Melbourne City Link Agreement -

City Link and Extension Projects Integration and Facilitation Agreement First Amending Deed	317
Third Amending Deed	88
Fourth Amending Deed	88
Fifth Amending Deed	317
Agreement for the Exhibition Street Extension Project	88
Agreement for Integrating and Facilitating the Project and Exhibition Street Extension Project	88
Melbourne City Link Second Deed Amending the Master Security Deed	272
Exhibition Street Extension:	
First Amending Deed	272
Second Amending Deed	317
Statement of Variation No.1/1999: ESEP Deed of Charge	272
Statement of Variation No.2/1999: ESEP Deed of Guarantee and Indemnity	272
Statement of Variation No.3/1999: ESEP Contract Sum Payment Directions Agreement	272
Section 8(4) -	
Orders increasing/decreasing Project Area	4, 31, 81, 252, 272, 297, 330, 347
Melbourne City Link Authority – Report – 1997-98	219
Melbourne Convention and Exhibition Trust – Report – 1997-98	228
Melbourne Institute of Textiles - Report - 1997	74
1998	297
Melbourne Market Authority. See “Adjournment Motion”	
Melbourne Market Authority – Report – 1997-98	186

	Votes Volume 1 Page
Melbourne Port Corporation – Report – 1997-98	197
Financial Statements – 1997-98	219
Melbourne Port Services Pty Ltd - Financial Statements - Period ended 31 May 1997	4
Melbourne Sports and Aquatic Centre Trust - Report - 1996-97, together with notification of the failure to submit the annual report and the reasons therefor 1997-98	4 228
Melbourne University – Report – 1997, together with an explanation for the delay in tabling 1998, together with an explanation for the delay in tabling	136 347
Melbourne Water Corporation – Report – 1997-98	228
Members of Parliament - Death of – See “Sidiropoulos, Theo” Sworn or Affirmed by Commissioner Warrant to swear in Members Resignation of Member	2, 134, 144 144 133-4
Members of Parliament (Register of Interests) Act 1978 - Register of Members’ Interest - Returns - 4 December 1997 to 13 May 1998 (No. 16 Vol. 5 Place 4) June 1998 (No. 29 Vol. 7 Place 5) 14 May to 1 October 1998 (No. 29 Vol. 7 Place 5) October 1998 (No. 39 Vol. 9 Place 3) 2 October 1998 to 11 November 1998 (No. 44 Vol. 10 Place 4) 12 November 1998 to 26 May 1999 (No. 60 Vol. 14 Place 3)	116 164 164 228 240 341
Memorial Park Altona Cemetery Trust – Report – 1997	160
Mental Health Act 1986 – Report of the Community Visitors - 1997-98	252

Mental Health Review Board and Psychosurgery Review Board – Report – 1997-98	219
Mercy Public Hospitals Incorporated – Report – 1997-98, together with an explanation for the delay in tabling	252
Messages -	
From His Excellency the Governor, The Honourable Sir James Augustine Gobbo, AC or the Lieutenant-Governor Professor Adrienne E. Clarke, AO or the Administrator, The Honourable Mr Justice John Phillips	
Desiring attendance of Assembly in Council Chamber	1
Informing the Assembly that he/she had given the Royal Assent	59, 75, 89, 105-6, 141, 141-2, 179, 198, 230, 247, 256-7, 298, 311, 331
Recommending appropriation for Bills	39, 41, 59, 75, 76, 105-6, 162, 179, 231, 257, 273, 289, 298, 311
Recommending further appropriation for Bills	105
Transmitting Estimates of Expenditure and recommending appropriation for -	
Appropriation (1998/99) Bill	76
Appropriation (Parliament 1998/99) Bill	76
Appropriation (1999/2000) Bill	298
Appropriation (Parliament 1999/2000) Bill	298

Messages - continued

Messages from the Legislative Council -	
Assembly Bills -	
Agreeing to Bills without amendment	48, 51, 59, 61, 66, 77, 79, 81, 90, 95, 109, 111, 115, 117, 118, 120, 141, 164, 166, 182, 184, 203, 206, 216, 219, 233, 235, 237, 241, 242, 245, 256, 285, 289, 300, 301, 303, 313, 314, 316, 321, 333, 338, 345
Agreeing to Bills with amendment/s And see "Divisions in House"	79, 180, 203-4, 215
Council Bills -	
Transmitting Bills for concurrence of the Assembly	60, 61, 77, 166, 182, 184, 300
Joint Sitting -	
Agreeing to Joint Sitting for appointment of Members to the Victorian Health Promotion Foundation	284
Miscellaneous -	
Acquainting the Assembly that they have concurred with the Assembly in the appointment of Mr Douglas N. Bartley of KPMG to conduct the financial audit of the Victorian Auditor-General's Office	98
Acquainting the Assembly that they have concurred with the Assembly in the appointment of Mr Stuart Alford of Ernst & Young to conduct the performance audit of the Victorian Auditor-General's Office	98
Metropolitan Ambulance Service - Motion condemning Government, debated	91
Metropolitan Fire and Emergency Services Board - Report - 1997-98	186
Mildura Base Hospital - Report - 1997-98	228

Mildura Cemetery Trust – Financial Statements – 1997	240
Monash University - Report - 1997	96
1998, together with an explanation for the delay in tabling	347
Mt Alexander Hospital – Report – 1997-98	197
Murray-Darling Basin Act 1993 – Schedules D and E to the Murray Darling Basin Agreement pursuant to section 28(b)	136
Report – 1997-98	252
Murray Valley Citrus Marketing Board – Report – 1997-98	252
Murray Valley Wine Grape Industry Negotiating Committee – Report – 1997-98	219
Museums Board of Victoria (Museum Victoria) – Report – 1997-98	219
Myrtleford District War Memorial Hospital - Report - Period ended 31 October 1996	116

	Votes Volume 1 Page
NATIONAL Crime Authority - Report - 1996-97	32
1997-98	250
National Electricity Pty Ltd - Financial Statements - Period ended 6 November 1997	38
National Environment Protection Council – Report – 1997-98	265
National Gallery of Victoria – Report of the Council of Trustees – 1997-98	228
National Parks Act 1975 – Report on Workings of Act - 1997-98	197
National Parks Advisory Council – Report – 1997-98	186
National Rail Corporation (Victoria) Act 1987 – Commonwealth and States Rail Corporation Third Amending Agreement	258
National Road Transport Commission – Report – 1997-98	177
Natural Resources and Environment Department – Report – 1997-98	228
Necropolis Springvale – Report – 1997	160
Nillumbik Shire Council – Report – Dated 18 August 1998 from Commissioner David Abraham (No. 35 Vol. 8 Place 6)	178
North East Region Water Authority – Report – 1997-98	228
Northern Melbourne Institute of TAFE - Report - 1997	74
1998	297

North Western Health Care Network – Report –
1997-98

245

OMBUDSMAN and Deputy Ombudsman (Police Complaints) – Report – 1997-98 (No. 28 Vol. 7 Place 4) And see “Police Regulation Act 1958”	228
Order of the House discharged	265
Orders of the House rescinded	180, 231, 299
Overseas Projects Corporation of Victoria – Report – 1997-98	228

	Votes Volume 1 Page
PARKS Victoria – Report – Period ended 2 July 1998	182
Parliament - Proclamation convening - read	1
Parliamentary Committees Act 1968 - Report of action taken by Minister on recommendations of Committees	4, 61, 74, 116, 164, 197, 252, 326, 347
Parliamentary Contributory Superannuation Fund – Report – 1997-98	210
Parliamentary Departments – Reports of the Departments of the Legislative Assembly, Parliamentary Library, Reporting Staff of the Victorian Parliamentary Debates, Parliamentary Services – 1997-98	234
Parliamentary Officers Act 1975 – Statement of Appointments and Alterations of Classification in Parliamentary Departments	161
Statement of Persons Temporarily Employed in Parliamentary Departments	161
Patriotic Funds Council – Report – 1997	181
Peninsula Health Care Network – Report – 1997-98	197
Peninsula Institute of TAFE - Report - 1997	74

Petitions - Ordered to lie on the Table -

Abortions – Late Term Partial Birth	134, 146, 159, 169, 177, 233, 263, 276
Accident Compensation Act 1985	2, 28, 185
Amcor Pty Ltd – Planning Permits	181
Animal Shelters/Pounds	28
Austin and Repatriation Hospital	
– Access	326, 334, 346
– Community Usage	325, 333
– Funding	325, 329, 346
– Overdevelopment	325, 333-4, 346
– Privatisation of	195
Balnarring – Mains Gas Supply	233
Banking Services - Laverton and Altona Meadows	47
Bass Coast Council – Special Charge Scheme	151
'Bellfield' Name Restoration	264
Bendigo Casino	225
Berry Street Home - Traralgon	73
Berwick Primary School	87
Bingo Centre Employees	73
Blackburn High School Council	314
Bone Marrow Donor Registry	49
Broadmeadows Valley Park Fast Train Route	264
Cambodian Association of Victoria	121
Capital Punishment	288, 346
Carrum Downs –	
Secondary College	134
Cadles Road, Improvement to	134
Catchment Management Authorities	249, 258, 263, 271, 304, 309
City Link Project – Tullamarine Freeway Section	134
City of Yarra	249
Coach Service Bairnsdale to Sale	134
Combating Child Sexual Assault Report	135, 159
Corryong Multi Purpose Service	151
Croydon Police Station	151
Deer Park – Community Health Service	151
Dental Surgery/Medicine	2, 32, 103, 112, 116, 135, 159
Drug Rehabilitation Centre – Heidelberg	151
Drysdale Police Station	309
Edward Street Nursing Home, Ferntree Gully	271
Essendon and District Memorial Hospital	49, 116

Petitions - Ordered to lie on the Table - *continued*

Firearms Act 1996 - Proposed Amendments to	51
Firearms (Amendment) Bill	78
Gippsland – Irrigation in	135
Gippsland Lakes	249, 271, 276, 281, 295
Golf View Hotel	134
Green Wedges in Growth Areas	334
Helimed 1 Air Ambulance	87, 90, 95, 99, 103
Heroin Addicts – Program for	185
Home Loan Schemes	238, 271, 281, 295, 309, 329
Hurstbridge – Road Works	244
Intensive Behaviour Intervention Service Facility, South Morang	288
‘Ivanhoe’ Name Retention	264
Koori Community – Cultural Officer	234
Lang Lang Police Station	274
Liquor Licence	300
McDonald’s Franchise in Diamond Creek	309
Marine and Coastal Special Investigation Final Report	65-6
Mildura Base Hospital	210
Minyip Sewerage Scheme	238, 258
Mornington – Public Car Park	135
Mortlake Reticulated Sewerage System	43
Mount Evelyn Police Station	309
Mountain View Hotel, Glen Waverley	121
Murtoa Grain Store	66
Mutual Recognition Act 1992 (Commonwealth)	238
National Gallery of Victoria - Water Wall	32
Natural Gas for Gordon and Mount Egerton	57
Orbital Transport Corridor	258
Overfishing by Professional Netters	295
Pedestrian Crossing – Dandenong Valley Highway, Bangholme	134
Heidelberg	151
Pentridge Complex	116
Petrol Service Station - Rosebud	60
Pippies – Legal Limit for	258
Planning System/Good Design Guide	334, 346
Point Gellibrand Historic Park	96
Point King Beach, Portsea	169
Police Numbers, Increase of	334, 346
Police Station in Endeavour Hills	99

Petitions - Ordered to lie on the Table - *continued*

Port Phillip Bay Foreshore - High Rise Development	28
Powercor – Kyneton Depot	263
Pre-Schools – Support for	159, 195, 218, 238, 249
Preston and Northcote Community Hospital	329
Primary School Nursing Program - Funding	32
Public Education System	37, 309, 314
Public Hospital System	28, 244
Public Housing Reform Package	34
Public Housing Rental Increases	81
Public Housing Rent Increase Reversal	81, 87, 135
*Public Telephone Facility - East Geelong	47
Public Transport – Craigieburn	244
Racial Discrimination	295, 304
Rail Line – Broadmeadows to Tullamarine Airport	264, 271
Residential Bee Keeping	28
Reticulated Sewerage Scheme – Shire of Loddon	195
Rosanna Rail Corridor	195
Sale - Roundabout at Intersection	73
School Bus Services	309
School Nursing Program Funding	78
SECASA 1997-98 Annual Report Recommendations	264
Sound Barriers – Keilor/Melton Highway	334
Spear Thistle in Lang Lang/Caldermeade	264, 288
Steel-Jawed Traps	181
St Joseph’s Presbytery, Warragul	225
Strzelecki State Forest – National Park	169, 185, 238, 264
Sydenham Railway Station	185
Tarago Reservoir	121
Victorian Cemeteries and Crematoria	234, 281, 295, 346
Walkerville Boat Safety Facility	2
Wangaratta –Public Dentistry	329
Waverley Park	341
Wedderburn Sewerage	146
Westgate Freeway – Noise Attenuation Barriers	151
West Gippsland Catchment Management Authority	264
Wesleyan Chapel, Mount Alexander Road, Flemington	264
West Gippsland Catchment Management Authority	95, 238
Whealers Hill - Boundary	2
Youth Training Centres	346

Petitions - To be taken into consideration -

Abortions – Late Term Partial Birth	169, 276
Austin and Repatriation Hospital	
– Access	326
– Community Usage	326
– Funding	326
– Overdevelopment	326
– Privatisation of	195
Bass Coast Council – Special Charge Scheme	151
Bendigo Casino	225
Blackburn High School Council	314
Bone Marrow Donor Registry	49
Capital Punishment Referendum	288
Catchment Management Authorities	249, 264
Combating Child Sexual Assault Report	159
Deer Park – Community Health Service	152
Drysdale Police Station	310
Helimed 1 Air Ambulance	87, 99, 103
Intensive Behaviour Intervention Service Facility, South Morang	288
Lang Lang Police Station	275
McDonald’s Franchise in Diamond Creek	310
Mildura Base Hospital	210
Minyip Sewerage Scheme	239
Mount Evelyn Police Station	310
Mornington Public Car Park	135
Pedestrian Crossing – Heidelberg	151
Planning System/Good Design Guide	334
Police Numbers, Increase of	334
Preston and Northcote Community Hospital	329
Pre-Schools – Support for	159, 195, 196, 218, 239
	250
Primary School Nursing Program - Funding	32
Public Education System	310
Public Hospital System	28
Racial Discrimination	295
Reticulated Sewerage Scheme – Shire of Loddon	196
Rosanna Rail Corridor	196
School Bus Services	310
School Nursing Program Funding	79
Spear Thistle Lang Lang /Caldermeade	265, 288
Steel-Jawed Traps	181
St Joseph’s Presbytery, Warrugul	225

Petitions - To be taken into consideration - *continued*

Strzelecki State Forest – National Park	169, 185, 239, 265
Victorian Cemeteries and Crematoria	234, 281
Waverley Park	341
Wedderburn Sewerage	147
Westgate Freeway – Noise Attenuation Barriers	151
West Gippsland Catchment Management Authority	96, 239, 265
Pharmacy Board – Report – 1997-98	197
Planning and Environment Act 1987 - Notices of approval of amendments to planning schemes	4-5, 31, 38, 47, 58, 74, 88, 104, 130, 136-8, 161, 178-9, 197, 228-9, 252-3, 258, 272-3, 276-7, 282, 297, 311, 330-1, 354
Notice of approval of new planning schemes	161, 228, 252, 297, 311, 330, 354
Planning Decisions – Motion condemning Minister for Planning and Local Government	259
Plumbing Industry Board – Report – Period 24 March 1997 to 30 June 1998	219
Police Board – Report – 1997-98	234
Police Regulation Act 1958 –	
Final Report of the Ombudsman - Operation Bart - Investigation of Allegations against Police in Relation to the Shutter Allocation System (No. 10 Vol. 3 Place 5)	104
Interim Report of the Ombudsman - Allegations Raised Concerning the Activities of the Operations Intelligence Unit and Other Related Issues (No. 9 Vol. 3 Place 4)	112

Police Regulation Act 1958 – continued

Second Interim Report of the Ombudsman - Allegations Raised Concerning the Activities of the Operations Intelligence Unit and Other Related Issues (No. 33 Vol. 8 Place 4)	234
Final Report of the Ombudsman - Allegations Raised Concerning the Activities of the Operations Intelligence Unit and Other Related Issues (No. 48 Vol. 11 Place 1)	314
Police Review Commission – Report – 1997-98	197
Port Fairy Hospital – Report – 1997-98	179
Portland and District Hospital – Report – 1997-98	229
Portland Coast Region Water Authority – Report – 1997-98	229
Port of Geelong Authority – Report – Period ended 10 December 1997	219
Port of Melbourne Authority – Report – Period ended 10 December 1997	219
Port of Portland Authority – Report – Period ended 10 December 1997	219
Port Phillip Prison. See “Adjournment Motion”	
Postponement of Remaining Business - Put and Negatived	54
PowerNet Victoria - Financial Statements - Period ended 6 November 1997	38
Report – 1997-98	219
Premier and Cabinet Department – Report – 1997-98	219

	Votes Volume 1 Page
Preston General Cemetery Trust – Report – Period 1 July 1995 to 31 December 1996	161
Prevention of Cruelty to Animals Act 1986 – Australian Standard for Hygienic Production of Rabbit Meat for Human Consumption Codes of Practice	5 138, 179, 197, 273, 331, 347
Revocation of Codes of Practice	138, 197
Variation of Code of Accepted Farming Practice for the Welfare of Livestock – Transport of Livestock	347
Prince Henry’s Institute of Medical Research - Report - 1997	116
Princes Highway Upgrade. See “Adjournment Motion”	
Privileges Committee - Members appointed	13
Project Development and Construction Management Act 1994 – Orders in Council under Sections 6 and 8	197, 253
Statement of reasons for making Nomination Orders under Section 9	197, 253
Publication of Reports, Papers and Votes and Proceedings - Motion authorising publication in written or electronic form	114
Public Accounts and Estimates Committee -	
Member appointed	152, 285
Member discharged	285
Inquiries – Annual Report – 1997-98 (No. 23 Vol. 6 Place 6)	225
Annual Reporting in the Victorian Public Sector (No. 26 Vol. 7 Place 2)	326
Auditor-General - Appointment of Independent Auditors to Conduct Financial and Performance Audits of the Victorian Auditor-General’s Office - Report - (No. 7 Vol. 3 Place 2)	87
Review of the Performance Audit of the Victorian Auditor-General’s Office – Report – (No. 27 Vol 7 Place 3) <i>(tabled in the Legislative Council on 3 June 1999)</i>	

Public Accounts and Estimates Committee - continued

Review of the Auditor-General's Reports Nos 39 to 41 – Report -(No. 62 Vol 15 Place 2) <i>(tabled in the Legislative Council on 3 June 1999)</i> And see "Auditor-General - Reports", "Audit Act 1994"	
1997-98 Budget Estimates - Response from the Treasurer on action taken with respect to recommendations	116
1998-99 Budget Estimates – Report - (No. 25 Vol. 7 Place 1) <i>(tabled in Legislative Council 18 November 1998)</i>	250
Environmental Accounting and Reporting - Interim Report – (No. 63 Vol. 15 Place 3) <i>(Tabled in the Legislative Council on 3 June 1999)</i>	
Information Technology and the Year 2000 Problem – Is the Victorian Public sector Ready? (No. 24 Vol. 6 Place 7)	239
Outstanding Fines and Unexecuted Warrants - Report - Response from the Attorney-General on action taken with respect to recommendations	61
Public Advocate – Report – 1997-98 (No. 20 Vol. 6 Place 3)	248
Public Housing Maintenance – Motion congratulating Government, debated	285
Public Prosecutions – Report of the Director, Committee and Office– 1997-98	229
Public Record Office – Report – 1997-98	164
Public Sector Asset Investment Program (Budget Information Paper No. 1) – Report – 1998-99	161
Public Sector Debt, Reduction in – Motion commending the Government	315
Public Sector Management and Employment Act 1998 – Directions by the Commissioner for Public Employment pursuant to sections 37 and 39	138

Public Service Commissioner – Report – 1997-98	219
Public Transport Corporation – Report – 1997-98	219
Public Transport System – Motion condemning the Government	335
Purdey, Raymond William – See “Clerk”	

QUEEN Victoria Medical Centre (Guarantees) Act 1982 – Notice pursuant to section 6	138
Queen Victoria Women’s Centre Trust – Report – 1997-98	229
Quiet Life Limited – Report – 1997-98	219

	Votes Volume 1 Page
RADIATION Advisory Committee – Report – Year ended September 1998	229
Regulator-General – Report of the Office – 1997-98	219
Renewable Energy Authority Victoria – Report – 1997-98	253
RMIT - Report - 1997	100
1998, together with an explanation for the delay in tabling	347
Road Safety Committee - Member appointed	152
Member discharged	152
Inquiries - Review of Motorcycle Safety in Victoria -Report - (No. 1 Vol. 2 Place 1)	29
Response of Minister for Roads and Ports on action taken with respect to recommendations	197
Incidents and Prevention of Pedestrian Accidents – Report – (No. 54 Vol. 2 Place 4) <i>(tabled in the Legislative Council on 1 June 1999)</i>	
Roads Corporation (VicRoads) – Report – 1997-98	219
Robinvale District Hospital and Health Services – Report – 1997-98	253
Rochester and Elmore District Health Service – Report – 1997-98	229
Royal Botanic Gardens Board – Report – 1997-98	229

Rural Finance Act 1988 –	
Direction to Corporation to establish scheme of Assistance for – Persons whose farming enterprise has been affected by the Ovine Johne’s Disease	179
Persons carrying on farming in the interests of developing a more efficient and independent farming sector in Victoria	229
Persons affected by the floods in North-east Victoria in September 1998	254
Direction to Corporation to establish scheme of Assistance known as the Land Aggregation Program	229
Rural Finance Corporation – Report – 1997-98	179
Rural Victoria 2001 Program - Ministerial Visits - Motion congratulating Government, debated	113

SCHOOL Education System - Motion commending Government, debated	50
Scrutiny of Acts and Regulations Committee - Bills -	
Alert Digest, No. 1 of 1998 (No. 46 Vol. 10 Place 6)	37
Alert Digest, No. 2 of 1998 (No. 46 Vol. 10 Place 6)	57
Alert Digest, No. 3 of 1998 (No. 46 Vol. 10 Place 6)	73-4
Alert Digest, No. 4 of 1998 (No. 46 Vol. 10 Place 6)	103-4
Alert Digest, No. 5 of 1998 (No. 46 Vol. 10 Place 6)	135
Alert Digest, No. 6 of 1998 (No. 46 Vol. 10 Place 6)	159-60
Alert Digest, No. 7 of 1998 (No. 46 Vol. 10 Place 6)	178
Alert Digest, No. 8 of 1998 (No. 46 Vol. 10 Place 6)	226
Alert Digest, No. 1 of 1999 (No. 65 Vol. 15 Place 5)	250
Alert Digest, No. 2 of 1999 (No. 65 Vol. 15 Place 5)	272
Alert Digest, No. 3 of 1999 (No. 65 Vol. 15 Place 5)	282
Alert Digest, No. 4 of 1999 (No. 65 Vol. 15 Place 5)	296
Alert Digest, No. 5 of 1999 (No. 65 Vol. 15 Place 5)	330
Alert Digest, No. 6 of 1999 (No. 65 Vol. 15 Place 5)	347
Inquiries -	
Fifth Annual Report - (No. 6 Vol. 3 Place 1)	99
Sixth Annual Report - (No. 46 Vol. 10 Place 7)	330
Redundant and Unclear Legislation -	
Third Report - (No. 73 Vol. 16 Place 4 1997)	2
Review of the Carriers and Innkeepers Act 1958 (No. 17 Vol. 6 Place 1)	135
Review of the Unlawful Assemblies and Processions Act 1958 (No. 59 Vol. 14 Place 2) <i>(tabled in the Legislative Council on 1 June 1999)</i>	
Subordinate Legislation concerning -	
Statutory Rules Series 1997 - Report - (No. 5 Vol. 2 Place 5)	104
Statutory Rules Series 1998 - Report - (No. 43 Vol. 10 Place 3)	330
Right to Silence - Final Report - (No. 40 Vol. 9 Place 4)	250

Sessional Orders -

Adopted	16-23
Amendments proposed and negatived	19-23
Amendments proposed and agreed to And see "Divisions in House"	142-3, 198,

**Government Business Programming Committee –
Sessional Order -**

Motion setting weekly program	39, 48, 59, 76, 89, 106-7 143, 162-3, 180, 198-9, 231, 257, 273-4, 283, 299, 312, 331-2
-------------------------------	--

And see "Divisions in House"

Motion amending program And see "Divisions in House"	343-4
---	-------

Circulation of amendments announced	43, 53, 65, 93, 97, 107, 108, 117, 143, 144, 145, 148, 149, 154, 164, 167, 170, 184, 207, 213, 215, 237, 246, 257, 265, 266, 287, 299, 300, 304, 313, 318, 345, 349, 350
-------------------------------------	--

Expiration of allocated time	53, 70, 154, 171, 190, 223, 246, 268, 278, 289, 327, 351
------------------------------	--

Seymour District Memorial Hospital – Report – 1997-98	254
--	-----

Sidiropoulos, Theo – Death of	177
-------------------------------	-----

Sitting of House -

Adjournment - To day and hour to be fixed by Mr Speaker And see "Divisions in House"	122, 245, 347-9
--	-----------------

To future time	14, 34, 51, 66, 96, 100, 117, 152-4, 169, 198, 219, 240, 265, 289, 326, 341
----------------	---

And see "Divisions in House"

Social Policies – Motion condemning Government, debated	301
---	-----

	Votes Volume 1 Page
South Eastern Regional Waste Management Group – Financial Statements – 1996-97	138
1997-98	254
South East Water Limited – Report – 1997-98	179
South Gippsland Region Water Authority – Report – 1997-98	229
Southern Health Care Network – Report – 1997-98	197
Southern Hydro Limited – Report – Period 1 July 1997 to 18 December 1997	219
South West Institute of TAFE - Report - 1997	74
1998	297
South West Water Authority – Report – 1997-98	229
Stamps Act 1958 – Report of exemptions approved and refunds made under s. 137R – 1997-98	229
Standing Orders Committee - Members appointed	13
State Development Department – Report – 1997-98	229
State Electricity Commission of Victoria – Report – 1997-98	219
State Government Corporate Credit Cards - Motion, debated	55
State Library of Victoria – Report – 1997-98	210

State Superannuation Fund - Report - Actuarial Investigation as at 30 June 1997	5
State Training Board – Report – 1997-98	229
State Trustees Limited – Report – 1997-98	182
Statutory Rules - Tabled Pursuant to Act -	
Accident Compensation Act 1985	138, 254
Accident Compensation (WorkCover Insurance) Act 1993	138
Administration and Probate Act 1958	254
Administrative Appeals Tribunal Act 1984	5
Adoption Act 1984	38, 105, 273
Agriculture and Veterinary Chemicals (Control of Use) Act 1992	75, 162
Alpine Resorts (Management) Act 1997	105
Associations Incorporation Act 1981	138
Audit Act 1994	138, 254
Building Act 1993	138, 254
Business Franchise (Petroleum Products) Act 1979	41
Business Franchise (Tobacco) Act 1974	41
Cancer Act 1958	5
Casino Control Act 1991	197, 273
Cemeteries Act 1958	138
Children and Young Persons Act 1989	41
Children’s Services Act 1996	138
Club Keno Act 1993	254
Confiscation Act 1997	138, 273
Conservation, Forests and Lands Act 1987	47, 96, 105
Consumer Affairs Act 1972	5, 96
Control of Weapons Act 1990	138
Corporations (Victoria) Act 1990	311
Corrections Act 1986	5, 138
Country Fire Authority Act 1958	5, 254
County Court Act 1958	5, 75, 138, 254
Court Security Act 1980	138
Crimes Act 1958	58, 273
Dangerous Goods Act 1985	5, 58, 254
Debits Tax Act 1990	138, 179
Dentists Act 1972	5, 254
Discharged Servicemen’s Preference Act 1943	273
Drugs, Poisons and Controlled Substances Act 1981	229, 254

Statutory Rules - Tabled Pursuant to Act - *continued*

Education Act 1958	5, 254
Electricity Safety Act 1998	311
Environment Protection Act 1970	138
Equipment (Public Safety) Act 1994	5
Evidence Act 1958	138
Financial Institutions Duty Act 1982	5, 138, 179
Financial Management Act 1994	138
Firearms Act 1996	5, 138, 162
Fisheries Act 1995	58, 254, 265
Food Act 1984	273
Forests Act 1958	138, 254, 282
Freedom of Information Act 1982	88
Gaming Machine Control Act 1991	162
Gaming No. 2 Act 1997	58
Gas Industry Act 1994	5, 254
Gas Safety Act 1997	254
Health Act 1958	138, 229, 254, 311
Health Services Act 1988	31, 229
House Contracts Guarantee Act 1987	297
Human Tissue Act 1982	5
Infertility Treatment Act 1995	5
Interpretation of Legislation Act 1984	58, 138
Introductions Agents Act 1997	138
Land Acquisition and Compensation Act 1986	229
Land Tax Act 1958	5, 138, 254
Legal Practice Act 1996	254
Liquor Control Reform Act 1998	254
Livestock Disease Control Act 1994	96, 273
Local Government Act 1989	58, 254
Lotteries Gaming and Betting Act 1966	58
Magistrates' Court Act 1989	41, 138, 162, 254, 354
Marine Act 1988	169, 254
Meat Industry Act 1993	254
Melbourne and Metropolitan Board of Works Act 1958	5, 162
Melbourne City Link Act 1995	254, 354
Mental Health Act 1986	162
Metropolitan Fire Brigades Act 1958	105
Motor Car Traders Act 1986	138, 162
National Parks Act 1975	5, 138
Occupational Health and Safety Act 1985	5, 254
Patriotic Funds Act 1958	138
Pay-roll Tax Act 1971	254
Pharmacists Act 1974	5, 245

Statutory Rules - Tabled Pursuant to Act - *continued*

Physiotherapists Act 1978	138, 254, 258, 297
Planning and Environment Act 1987	5, 162, 254
Plant Health and Plant Products Act 1995	5
Podiatrists Registration Act 1997	254
Prevention of Cruelty to Animals Act 1986	5
Printers and Newspapers Act 1958	5
Property Law Act 1958	254
Psychologists Registration Act 1987	254
Residential Tenancies Act 1980	5, 138
Retail Tenancies Reform Act 1998	138
Retirement Villages Act 1986	139
Road Safety Act 1986	5, 75, 139, 162, 254, 265, 331
Road Transport (Dangerous Goods) Act 1995	75
Rural Finance Act 1988	139
Second-Hand Dealers and Pawnbrokers Act 1989	5
Sentencing Act 1991	58
Small Claims Tribunals Act 1973	5
State Electricity Commission Act 1958	139
State Superannuation Act 1988	139, 254
Subordinate Legislation Act 1994	5, 31, 75, 139, 186, 245, 273
Supreme Court Act 1986	5, 38, 58, 105, 139, 162, 254, 273, 311
Tattersall Consultations Act 1958	254
Taxation Administration Act 1997	5
Tobacco Act 1987	5, 31, 38, 162, 254, 297
Transfer of Land Act 1958	254
Transport Accident Act 1986	139
Transport Act 1983	139, 254, 265, 331, 354
Transport Superannuation Act 1988	162
Trans-Tasman Mutual Recognition (Victoria) Act 1998	105, 311
Treasury Corporation of Victoria Act 1992	6
Valuation of Land Act 1960	311
Veterinary Practice Act 1997	47
Victims of Crime Assistance Act 1996	96
Victorian Civil and Administrative Tribunal Act 1998	139, 258
Victorian Plantations Corporation Act 1993	162
Water Act 1989	139
Water Industry Act 1994	139, 254
Wildlife Act 1975	6, 47, 58, 254
Zoological Parks and Gardens Act 1995	6, 139

	Votes Volume 1 Page
Stawell District Hospital – Report – 1997-98	186
St Vincent’s Hospital Melbourne - Report - 1996-97 1997-98	38 245
Subordinate Legislation Act 1994 - Ministers’ exception certificates	6, 31, 38, 41, 58, 75, 96, 105, 139, 162, 245, 254, 258, 265, 273, 311, 354,
Ministers’ exemption certificates	6, 31, 38, 47, 58, 75, 96, 105, 139, 162, 179, 186, 197, 229, 254, 258, 273, 297, 311, 331, 354
And see “Building Act 1993”	
Suicide and Self Harm in Victorian Prisons, Review of – Report - (No. 51 Vol. 12 Place 1)	310
Sunraysia Institute of TAFE - Report - 1997 1998	75 297
Sunraysia Rural Water Authority – Report – 1997-98	229
Supreme Court Judges - Report - 1997	130
Swan Hill District Hospital – Report – 1997-98	197
Swinburne University of Technology - Report - 1997 1998, together with an explanation for the delay in tabling	105 347
Systematic Corruption in Queensland – Motion condemning Government, debated	147

	Votes Volume 1 Page
TATTERSALL'S – Financial Report – 1997-98	255
Tawonga District General Hospital - Report - Period ended 31 October 1996	116
Televising and Broadcasting of Proceedings - Motion authorising	23-7, 341
Amendments proposed and negatived	25-7
Amendments proposed and agreed to And see "Divisions in House"	142
Televising and Broadcasting of Question Time - Motion authorising -	
That day	2
Tomorrow	14
Terec Limited (formerly Southern Hydro Limited) – Report – 1997-98	219
Templestowe Cemetery Trust – Financial Statements – 1997	162
Terang and Mortlake Health Service – Report – 1997-98	197
Tertiary Education Act 1993 – Order pursuant to section 10	139
Tourism Victoria – Report – 1997-98	229
Transmission Pipelines Australia – Report – 1997-98	219
Transport Accident Commission – Report – 1997-98	229
Treasury and Finance Department – Report – 1997-98	229
Treasury Corporation of Victoria – Report – 1997-98	230

TRICONTINENTAL Holdings Limited – Report –
1997-98

230

Turning the Tide Strategy - Illicit Drugs - Motion
congratulating Government, debated

61

URBAN Land Corporation – Report –
1997-98

179

	Votes Volume 1 Page
VENCORP (Victorian Energy Networks Corporation) – Report – 1997-98	219
Vicfleet Pty Ltd – Financial Statements – 1997-98	230
Victims of Crime Assistance Tribunal – Report – 1997-98	248
Victoria Grants Commission – Report – Year ended 31 August 1998	230
Victoria Law Foundation - Report - Year ended 30 September 1997	131
1997-98	341
Victoria Legal Aid – Report – 1997-98	248
Victoria Police – Report – 1997-98	197
Victoria University - Report - 1997	88
1998, together with an explanation for the delay in tabling	347
Victorian Arts Centre Trust – Report – 1997-98	219
Victorian Broiler Industry Negotiating Committee – Report – 1997-98	186
Victorian Casino and Gaming Authority – Report – 1997-98	230
Victorian Catchment Management Council – Report – 1997-98	277
Victorian Channels Authority – Report – 1997-98	210
Victorian Coastal and Bay Management Council – Report – 1997-98	230

Victorian Correctional Services Task Force. See "Suicides and Self Harm in Victorian Prisons"	
Victorian Dairy Industry Authority – Report – 1997-98	230
Victorian Dried Fruits Board - Report - 1995-96	6
Victorian Education System – Motion condemning Government	165
Victorian Electoral Commission – Report – 1997-98	230
Victorian Electricity Metering Pty Ltd – Report – Period 17 July 1997 to 30 June 1998	219
Victorian Financial Institutions Commission – Report – 1997-98	197
Victorian Fisheries Co-Management Council – Report – 1997-98	255
Victorian Funds Management Corporation – Report – 1997-98	179
Victorian Government Purchasing Board – Report – 1997-98	230
Victorian Government Response to <i>Bringing Them Home</i> Implementation Status Report, November 1998	234
Victorian Government's Finances. See "Adjournment Motion"	
Victorian Health Promotion Foundation – Communication from Minister requesting a Joint Sitting	283
Subsequent proceedings	284
Members elected	287-8
Report – 1997-98	240
Victorian Institute of Forensic Medicine – Report – 1997-98	248

	Votes Volume 1 Page
Victorian Institute of Marine Sciences - Report - 1995-96	14
Victorian Institute of Sport – Report – 1997-98	210
Victorian Managed Insurance Authority – Report – 1997-98	230
Victorian Meat Authority – Report – 1997-98	182
Victorian Multicultural Commission – Report – Period ended 30 June 1998	179
Victorian Plantations Corporation – Report – 1997-98	197
Victorian Power Exchange Pty Ltd – Report – 1997-98	219
Victorian Rail Track (VicTrack) – Report – 1997-98	230
Victorian Relief Committee – Report – 1997-98, together with an explanation for the delay in tabling	255
Victorian Superannuation Board – Report – 1997-98	210
Victorian WorkCover Authority - Report - Six months ended 31 December 1997 1997-98	37 182
Victoria’s Sport and Recreation Industry – Motion congratulating Government, debated	211
V/Line Freight – Report – 1997-98	230

	Votes Volume 1 Page
WANGARATTA District Base Hospital – Report – 1997-98	230
Warrnambool and District Base Hospital – Report – 1997-98	179
Werribee Cemetery Trust – Report – Period 1 July 1995 to 31 December 1996	162
West Gippsland Catchment Management Authority – Report – 1997-98	245
West Gippsland Healthcare Group – Report – 1997-98	197
Westcott, Geoffrey Herbert - See Assistant Clerk and Clerk of Committees	
Western Melbourne Institute of TAFE - Report - 1997	75
Westernport Region Water Authority – Report – 1997-98	230
Western Region Water Authority – Report – 1997-98	230
Wildlife Act 1975 - Wildlife (Closure of Areas to Hunting) Notice No. 1 1998	51
Wildlife (Control of Hunting) Notice No. 1 1998	51
Notice No. 1 1999	273
Notice No. 2 1999	273
William Angliss Institute of TAFE - Report - 1997	75
1998	297
Wimmera Health Care Group – Report – 1997-98	240
Wimmera Institute of TAFE - Report - 1997	75

	Votes Volume 1 Page
Wimmera Mallee Rural Water Authority – Report – 1997-98	230
Wodonga District Hospital and Wodonga Regional Health Service – Report – 1997-98	230
Wodonga Institute of TAFE - Report - 1997	75
1998	297
Women’s and Children’s Health Care Network – Report – 1997-98	197
Wonthaggi and District Hospital – Report – 1997-98, together with an explanation for the delay in tabling	304
Writ - Issue of and Return to	2, 134
Wycheproof and District Health Service – Report – 1997-98	197

	Votes Volume 1 Page
YARRA Valley Water – Report – 1997-98	186
Young Farmers’ Finance Council – Report – 1997-98	179
Youth Parole Board and Youth Residential Board - Report - 1996-97	105
1997-98	255

ZOOLOGICAL Parks and Gardens Board – Report –
1997-98

197

SESSION 1998-99

SUMMARY OF PROCEEDINGS ON BILLS

* Bills initiated in the Legislative Assembly during the Session -	161
Passed and assented to	153
Lapsed	7
Withdrawn	1
	161
* Including 12 Bills brought from Legislative Council, which were passed and assented to.	

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

SECOND SESSION

17 February 1998 - 24 August 1999

Member	District	Number of Electors on Rolls	Number of Electors who voted	First Preference Votes	Final Votes after Distribution	Per- centage 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 3	Williams- town	33,966	31,470	19,440	-	92.65
Brumby, John Mansfield 4	Broad- meadows	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	Bennets- wood	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
Davies, Ms Susan Margaret 10	Gippsland West	31,375	27,824	8,844	13,606	88.68

Member	District	Number of Electors on Rolls	Number of Electors who voted	First Preference Votes	Final Votes after Distribution	Percentage of Electors who voted
Dean, Dr Robert Logan 11	Berwick	38,794	36,873	19,105	-	95.05
Delahunty, Ms Mary 12	Northcote	34,787	29,639	16,954	-	85.02
Dixon, Martin Frances	Dromana	33,917	31,957	16,032	-	94.22
Dollis, Demetri 13	Richmond	39,405	35,121	21,216	-	89.13
Doyle, Robert Keith Bennett 14	Malvern	34,849	32,171	20,990	-	92.32
Elder, Stephen Noel 15	Ripon	31,819	30,410	15,678	-	95.57
Elliott, Mrs Lorraine Clare 16	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 17	Werribee	38,146	36,259	16,395	17,943	95.05
Gude, The Honourable Phillip Archibald 18	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 19	Geelong	34,099	32,150	16,543	-	94.28
Honeywood, Phillip Neville 20	Warrandyte	32,457	31,097	18,820	-	95.81
Hulls, Rob Justin	Niddrie	32,772	31,227	16,446	-	95.29
Jasper, Kenneth Stephen 21	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 22	Bendigo East	32,794	31,063	16,035	-	94.72
Kennett, The Honourable Jeffrey Gibb 23	Burwood	33,722	31,704	17,836	-	94.02
Kilgour, Donald 24	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 25	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 26	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 27	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 28	Warrnambool	33,711	32,329	18,357	-	95.90
McGrath, The Honourable William (Bill) Desmond 29	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 30	Benalla	32,966	31,274	18,055	-	94.87
Maclellan, The Honourable Robert Roy Cameron 31	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 32	Rodney	32,425	31,108	19,464	-	95.94
Micallef, Edward Joseph 33	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 34	Portland	30,201	28,840	15,801	-	95.49
Pandazopoulos, John	Dandenong	39,727	37,448	17,908	19,226	94.26
Paterson, Alister Irvine	South Barwon	33,512	31,945	18,565		95.32
Perrin, David John 35	Bulleen	32,991	31,307	19,331	-	94.90
Perton, Victor John 36	Doncaster	34,695	32,817	20,472	-	94.59
Pescott, The Honourable Roger 37	Mitcham	33,861	32,234	16,951	-	95.20

Member	District	Number of Electors on Rolls	Number of Electors who voted	First Preference Votes	Final Votes after Distribution	Percentage of Electors who voted
Peulich, Mrs Inga 38	Bentleigh	33,850	32,191	16,957		95.10
Phillips, Wayne	Eltham	38,186	36,415	19,624	-	95.36
Plowman, Antony (Tony) Fulton 39	Benambra	33,837	31,574	19,452		93.31
Plowman, The Honourable Sidney James (Jim) 40	Evelyn	34,655	32,611	19,044	-	94.10
Reynolds, The Honourable Thomas (Tom) 41	Gisborne	33,807	32,303	17,630	-	95.55
Richardson, John Ingles 42	Forest Hill	33,610	31,864	18,637	-	94.81
Robinson Anthony (Tony) Gerard 43	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 44	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 45	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 46	Northcote	34,884	32,369	18,550	-	92.79
Smith, Ernest Ross 47	Glen Waverley	31,883	30,211	19,212	-	94.76
Smith, The Honourable Ian Winton 48	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 49	Swan Hill	30,788	29,318	17,007	-	95.23
Stockdale, The Honourable Alan Robert 50	Brighton	33,421	31,022	20,299		92.82
Tehan, The Honourable Marie Therese 51	Seymour	33,341	31,665	16,301		94.97
Thompson, Murray Hamilton	Sandringham	33,745	31,580	19,483	-	93.58
Thwaites, John William 52	Albert Park	37,480	33,664	18,789		89.82

Member	District	Number of Electors on Rolls	Number of Electors who voted	First Preference Votes	Final Votes after Distribution	Percentage of Electors who voted
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 53	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	33,225	31,347	15,385		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 Mr S.P. Bracks, Leader of the Opposition from 22 March 1999.
- 4 Mr J.M. Brumby, elected 18 September 1993, vice Hon. J.H. Kennan, resigned; Leader of the Opposition from 30 June 1993 to 22 March 1999
- 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 Ms M. Delahunty, elected 15 August 1998, vice Hon. A.J. Sheehan, resigned 8 July 1998.
- 13 Mr D. Dollis, Deputy Leader of the Opposition from 3 May 1994 to 23 December 1996.
- 14 Mr R.K. Doyle, Parliamentary Secretary, Human Services from 3 April 1996
- 15 Mr S.N. Elder, Parliamentary Secretary, Education from 17 November 1992.
- 16 Mrs L.C. Elliott, Parliamentary Secretary to the Premier for the Arts from 3 April 1996.
- 17 Ms M.J. Gillett, Secretary, Parliamentary Labor Party from 3 April 1996.
- 18 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.
- 19 The Hon. A.M. Henderson, Minister for Housing and Minister Responsible for Aboriginal Affairs from 3 April 1996.
- 20 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.
- 21 Mr K.S. Jasper, Temporary Chairman of Committees from 27 April 1982.
- 22 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.
- 23 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.
- 24 Mr D. Kilgour, National Party Whip, from 2 July 1996
- 25 Mr C. A.C. Langdon, Opposition Whip from 15 April 1996.

- 26 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.
- 27 Mr S.J. McArthur, Temporary Chairman of Committees from 15 May 1996.
- 28 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.
- 29 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.
- 30 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.
- 31 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; Deputy Leader of the Opposition 8 April 1982 to 2 March 1985.
- 32 Mr N.J. Maughan, Temporary Chairman of Committees from 27 October 1992.
- 33 Mr E.J. Micallef, Secretary, Parliamentary Labor Party from 12 October 1988 to 5 March 1996.
- 34 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.
- 35 Mr D.J. Perrin, Chairman, Environment and Natural Resources Committee from 1 December 1992; Temporary Chairman of Committees from 27 October 1992.
- 36 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.
- 37 The Hon. R. Pescott, Minister for Industry Services from 9 November 1992 to 3 April 1996; resigned 11 November 1997.

- 38 Mrs I. Peulich, Temporary Chairman of Committees from 15 May 1996.
- 39 Mr A.F. Plowman, Temporary Chairman of Committees from 15 May 1996.
- 40 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.
- 41 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.
- 42 Mr J.I. Richardson, Temporary Chairman of Committees from 29 May 1979; Chairman, Road Safety Committee from 26 November 1992.
- 43 Mr A.G. Robinson, elected 13 December 1997, vice Hon. R Pescott, resigned.
- 44 Mr P.J. Ryan, Chairman, Scrutiny of Acts and Regulations Committee from 23 May 1996.
- 45 Mr G. Seitz, Temporary Chairman of Committees from 15 May 1996.
- 46 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; resigned 8 July 1998.
- 47 Mr E.R. Smith, Temporary Chairman of Committees from 27 October 1992 to 5 March 1996; Government Whip from 14 May 1996.
- 48 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, Decentralisation 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.
- 49 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.
- 50 The Hon. A.R. Stockdale, Treasurer from 6 October 1992; Minister for Multimedia from 3 April 1996; Deputy Leader of the Opposition 30 July 1990 to 23 April 1991.

- 51 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.
- 52 Mr J.W. Thwaites, Deputy Leader of the Opposition from 23 December 1996.
- 53 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

Speaker	..	..	THE HONOURABLE SIDNEY JAMES PLOWMAN, M.P.
Chairman of Committees	..	..	JOHN FRANCIS McGRATH, M.P.
Clerk of the Legislative Assembly	..	..	PHILIP JOHN MITHEN, J.P. (Retired 18 November 1998) succeeded by RAYMOND WILLIAM PURDEY (Appointed 8 December 1998)
Deputy Clerk	..	..	RAYMOND WILLIAM PURDEY succeeded by MARCUS LEONARD BROMLEY (Appointed 25 January 1999)
Assistant Clerk and Clerk of Committees	..	..	MARCUS LEONARD BROMLEY succeeded by GEOFFREY HERBERT WESTCOTT (Appointed 6 May 1999)
Serjeant-at-Arms	..	..	GEOFFREY HERBERT WESTCOTT Succeeded by GAVIN FRANCIS BOURKE (Appointed 9 August 1999)

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 1, 2 and 3

No. 1 - Tuesday, 17 February 1998

- 1 The Legislative Assembly met pursuant to Proclamation of His Excellency the Governor bearing date the twentieth day of January 1998 - Mr Speaker took the Chair and read the prayer.

The Proclamation was read by the Clerk, and is as follows:

PROROGUING PARLIAMENT AND FIXING THE TIME FOR HOLDING
SECOND SESSION OF THE FIFTY-THIRD PARLIAMENT OF VICTORIA

PROCLAMATION

The Parliament of Victoria is 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

- 2 **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 Legislative Assembly in the Legislative Council Chamber.

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

[Mr Speaker resumed the Chair at seven minutes past Five o'clock]

- 3 **ISSUE OF AND RETURN TO WRIT** - Mr Speaker announced that, on 17 November 1997, he had issued a Writ for the election of a Member to serve for the Electoral District of Mitcham in the place of the Honourable Roger Pescott, resigned; and that he had received a return to the said Writ by which it stated that Tony Robinson, Esquire, had been duly elected for the Electoral District of Mitcham, in pursuance of the said Writ.
- 4 **MEMBER SWORN** - Tony Robinson, Esquire, was then introduced and took and subscribed the Oath required by law.
- 5 **TELEVISIONING AND BROADCASTING OF QUESTION TIME** - Motion made, by leave, and question - That this House authorises sound and/or visual transmissions and broadcasts from the Legislative Assembly chamber and sound and/or visual broadcasts and re-broadcasts of recordings of proceedings of the Legislative Assembly during question time today (*Mr Gude*) - put and agreed to.
- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 7 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Dental Surgery/Medicine** - Seeking that - (a) dental surgery or medicine be regulated to ensure that only qualified and registered dental operatives be allowed to practice; and (b) restrictions on who may own dental practices be maintained, bearing 26 signatures (*by Mr Ashley*)
 - Walkerville Boat Safety Facility** - Seeking that the proposal put forward to build The Walkerville Boat Safety Facility not be allowed to proceed at Walkerville, now or in the future, bearing 117 signatures (*by Ms Davies*)
 - Wheelers Hill - Boundary** - Seeking that the boundary of Wheelers Hill be extended to take in the area bounded by Lum Road, Wellington Road, South Eastern Freeway, Springvale Road and Ferntree Gully Road, bearing 2007 signatures (*by Mr Smith, Glen Waverley*)
 - Accident Compensation Act** - Seeking that there will be no changes to the Accident Compensation Act 1985 as a result of the current review of WorkCover, bearing 845 signatures (*by Mr Micallef*).

Severally ordered to lie on the Table.

8 **PAPERS** -

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE - Mr Ryan, Chairman, brought up the Third Report from the Scrutiny of Acts and Regulations Committee on Redundant and Unclear Legislation, 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 1997

Ballarat Health Services - Report for the year 1996-97 (two papers)

Border Groundwaters Agreement Review Committee - Report for the year 1996-97

Building Act 1993 -

Building Code of Australia - Amendment No. 2

Minister's exemption certificate under section 9(1) of the *Subordinate Legislation Act* 1994 and notice of the making of the Amendment (Government Gazette G2, 15 January 1998)

Constitution Act Amendment Act 1958 - Statement of function conferred on the Electoral Commissioner on 9 December 1997

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

Standard for the Uniform Scheduling of Drugs and Poisons No. 12, Amendment No.1 and Notice regarding the amendment, commencement and availability of the Poisons Code

Environment Conservation Council Act 1997 - Investigation of Victoria's Box-Ironbark Forests and Woodland Areas

Environment Protection Act 1970 - Order declaring State Environment Protection Policy (Groundwaters of Victoria) (Government Gazette No. S160, 17 December 1997)

Financial Management Act 1994 -

Report of the Acting Minister for Agriculture and Resources that she had received the 1996-97 Annual Report of the Emu Industry Development Committee

Report of the Minister for Agriculture and Resources that he had received the 1996-97 Annual Report of the Murray Valley Winegrape Industry Development Committee

Reports of the Minister for Conservation and Land Management that she had received the 1996-97 Financial Statements of the -
Bairnsdale Regional Waste Management Group
Western Regional Waste Management Group

Report of the Minister for Conservation and Land Management that she had received the 1995-96 Annual Report of the Eastern Regional Waste Management Group

Report of the Minister for Conservation and Land Management that she had received the 1996-97 Annual Report of the Northern Regional Waste Management Group

Reports of the Minister for Health that he had received the 1996-97 Annual Reports of the -
Kooweerup Regional Health Service
O'Connell Family Centre (Grey Sisters) Inc.

Report of the Minister for Sport that he had received the 1996-97 Annual Report of the Victorian Institute of Sport, together with notification of the reasons for the delay in receiving the report

Report of the Minister for Health that he had not received the following 1996-97 Annual Reports, together with notification of the reasons for the delays -
Alpine Health Group
Tawonga and District General Hospital
Bright District Hospital and Health Services
Myrtleford and District War Memorial Hospital

Forests (Bowater-Scott Agreement) Act 1986 - Termination Deed under section 7

Interpretation of Legislation Act 1984 - Notice under section 32(3)(a) in relation to an Order declaring the State Environment Protection Policy (Groundwaters of Victoria) (Government Gazette No. G3, 22 January 1998)

Melbourne City Link Act 1995 - Orders pursuant to section 8(4) increasing the Project Area

Melbourne Port Services Pty Ltd - Financial Statements for the period ended 31 May 1997

Melbourne Sports and Aquatic Centre Trust - 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 therefor

Parliamentary Committees Act 1968 - Response of the Minister for Health on action taken with respect to the recommendations made by the Law Reform Committee in its Final Report on Legal Liability of Health Service Providers

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

- All Planning Schemes - No. S69
- Avoca Planning Scheme - No. L17
- Bairnsdale (City) Planning Scheme - No. L44
- Ballarat Planning Scheme - No. L38
- Banyule Planning Scheme - No. L14
- Bass Planning Scheme - No. L44, L47
- Berwick Planning Scheme - No. L133
- Boroondara Planning Scheme - Nos. L33, L40, L41
- Bright Planning Scheme - No. L45
- Brimbank Planning Scheme - No. L49
- Buln Buln Planning Scheme - No. L47
- Bungaree Planning Scheme - No. L30
- Buninyong Planning Scheme - No. L61
- Colac Otway Planning Scheme - No. L15
- Cranbourne Planning Scheme - Nos. L154, L179 Part 2, L185, L214
- Dimboola Planning Scheme - No. L9
- Doncaster and Templestowe Planning Scheme - No. L124
- Flinders Planning Scheme - No. L157
- Frankston Planning Scheme - Nos. L88, L93, L104
- Glen Eira Planning Scheme - Nos. L14, L18, L21
- Greater Bendigo Planning Scheme - No. L68
- Greater Dandenong Planning Scheme - No. L14
- Greater Geelong Planning Scheme - Nos. R165, R183, R219
- Hobsons Bay Planning Scheme - No. L9
- Hume Planning Scheme - Nos. L37, L41
- Kingston Planning Scheme - No. L34
- Knox Planning Scheme - No. L155
- Macedon Ranges Planning Scheme - No. L20
- Maribyrnong Planning Scheme - Nos. L16, L30
- Maroondah Planning Scheme - Nos. L13, L14 Part 2, L21
- Melbourne Planning Scheme - Nos. L254, L290, L291, L292, L293, L295, L310
- Melton Planning Scheme - No. L89
- Metcalf Planning Scheme - No. L7
- Moe Planning Scheme - No. L42
- Moira Planning Scheme - No. L19
- Monash Planning Scheme - Nos. L17, L21, L32 Part 1, L35

Moonee Valley Planning Scheme - Nos. L19, L30, L32
Moreland Planning Scheme - Nos. L23, L39 Part 1, L47, L53
Morwell Planning Scheme - Nos. L48, L61, L62
Nillumbik Planning Scheme - No. L11
Pakenham Planning Scheme - Nos. L150, L152
Port Phillip Planning Scheme - Nos. L52, L57, L58, L59, L60
Rutherglen Planning Scheme - No. L13
Sherbrooke Planning Scheme - No. L110
Stonnington Planning Scheme - Nos. L23, L25, L26, L31, L36, L43
Upper Yarra Planning Scheme - No. L78
Werribee Planning Scheme - Nos. L117 Part 1, L119, L120
Whitehorse Planning Scheme - Nos. L19, L22, L25, L30
Whittlesea Planning Scheme - Nos. L152, L154, L158
Wodonga Rural City Planning Scheme - No. L19
Yarra Planning Scheme - Nos. L53, L58, L59, L60, L64
Yarra Ranges Planning Scheme - Nos. L49, L65, L72, L74, L77, L85

Prevention of Cruelty to Animals Act 1986 - Australian Standard for Hygienic
Production of Rabbit Meat for Human Consumption

State Superannuation Fund - Report on the Actuarial Investigation as at 30 June 1997

Statutory Rules under the following Acts:

Administrative Appeals Tribunal Act 1984 - S.R. No. 140
Cancer Act 1958 - S.R. No. 165
County Court Act 1958 - S.R. No. 174
Consumer Affairs Act 1972 - S.R. No. 2/1998
Corrections Act 1986 - S.R. No. 155
Country Fire Authority Act 1958 - S.R. No. 144
Dangerous Goods Act 1985 - S.R. No. 3/1998
Dentists Act 1972 - S.R. No. 150, 166
Education Act 1958 - S.R. No. 162
Equipment (Public Safety) Act 1994 - S.R. No. 4/1998
Financial Institutions Duty Act 1982 - S.R. No. 7/1998
Firearms Act 1996 - S.R. No. 6/1998
Gas Industry Act 1994 - S.R. No. 146, 147, 148
Human Tissue Act 1982 - S.R. No. 163
Infertility Treatment Act 1995 - S.R. No. 164
Land Tax Act 1958 - S.R. No. 145
Melbourne and Metropolitan Board of Works Act 1958 - S.R. No. 173
National Parks Act 1975 - S.R. No. 154
Occupational Health and Safety Act 1985 - S.R. No. 5/1998
Pharmacists Act 1974 - S.R. No. 167
Planning and Environment Act 1987 - S.R. No. 151, 8/1998
Plant Health and Plant Products Act 1995 - S.R. No. 158
Prevention of Cruelty to Animals Act 1986 - S.R. No. 159
Printers and Newspapers Act 1958 - S.R. No. 141
Residential Tenancies Act 1980 - S.R. No. 160
Road Safety Act 1986 - S.R. Nos. 153, 171
Second-Hand Dealers and Pawnbrokers Act 1989 - S.R. No. 175
Small Claims Tribunals Act 1973 - S.R. No. 161
Subordinate Legislation Act 1994 - S.R. Nos. 142, 143, 152, 168, 169, 170
Supreme Court Act 1986 - S.R. Nos. 137, 138, 139
Taxation Administration Act 1997 - S.R. No. 172
Tobacco Act 1987 - S.R. No. 157

Treasury Corporation of Victoria Act 1992 - S.R. No. 149
 Wildlife Act 1975 - S.R. No. 156
 Zoological Parks and Gardens Act 1995 - S.R. No. 1/1998
 [Note: Statutory Rule Numbers refer to 1997 unless stated otherwise]

Subordinate Legislation Act 1994 -

Ministers' exception certificates in relation to Statutory Rule Nos. 130, 137, 138, 139, 140, 141, 142, 143, 145, 151, 152, 166, 167, 174

Ministers' exemption certificates in relation to Statutory Rule Nos. 146, 147, 148, 149, 150, 156, 157, 158, 162, 163, 164, 165, 172, 1/1998, 3/1998, 4/1998, 5/1998, 6/1998, 7/1998, 8/1998

[Note: Statutory Rule Numbers refer to 1997 unless stated otherwise]

Victorian Dried Fruits Board - Report for the year 1995-96

- 9 **PRIVILEGE BILL - ARTS ACTS (STATUTE LAW REVISION) BILL** - Mr Gude obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "to make minor amendments to the *Libraries Act 1988* 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 **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:

I have called you together today as we reach the midpoint of this term of Parliament in order to focus our attention and that of all Victorians on our objectives over the short time remaining of the 20th century. The separation of the 53rd Parliament into two sessions presents us now with the opportunity to review our progress and achievements since the initial election of my Government in 1992. This is also a fitting time to take a fresh look at our direction ahead.

The Government's priority will be to ensure the goals of its first phase of development are met by 2001. It will design a blueprint for Victoria's advance into the 21st century for presentation in the year 2000.

My Government has rebuilt Victoria's inheritance in the past five and a half years. Given the State's dramatically improved performance today, the agenda for this Session of the Parliament will see a marked change in emphasis.

I am pleased to inform all Victorians my Government will apply expanded criteria to the budget process, legislation brought before the Parliament and initiatives of the Government. Each new measure and each expenditure proposal will be required to undergo the test of social advantage. This signals the next important step forward for Victoria. Budget programs, legislation and initiatives will be tested against four measures - in what way they might improve outcomes in education, increase job opportunities, encourage safe, healthy lifestyles and build confident and cohesive communities.

All my Government's endeavours have been building up to this point. The social advance of Victorians will be the central criterion in determining our State's future direction. The Government will focus on consolidating Victoria as the kind of place that we are able to look on with pride as providing the ideal home, lifestyle and workplace of the 21st century.

The Government's approach will lead Victorians as they strive in their own lives and local communities, admittedly at times with great difficulty, to improve their position and the general environs of their lifestyle, and so to balance their own interests with those of an increasingly demanding world. We need therefore to examine what we need to do as a partnership of Victorians to strengthen the freedom and independence we enjoy, create a more vibrant sense of community, and mould a cohesive, caring society. We need to work at ways to ameliorate the uncertainty that some feel in an era of such runaway change. These will be the essential factors that determine the nature and strength of modern Victoria, and make a defining difference in the day to day lives of Victorians.

This next step will position Victoria for the lifestyle and opportunities of the 21st century. It is a task made easier and for which we are much better prepared as a result of the changes that have been implemented and achievements that have been made since 1992. My Government will not waver from the fundamental principles that have brought us to this point - to provide strong, but fair, leadership, to plan for the long term, to maintain a consistent policy approach, to work as a partnership with Victorians, and to open Victoria to a global environment.

The Government believes it has a duty to pursue low risk policies with taxpayers' money, and will accordingly continue applying sound economic and financial management. The resultant strong Budget facilitates quality services, a reducing tax burden, growing investment in infrastructure, and low and reducing debt and liabilities. Victoria is leading Australia and, in some cases, the world in economic reforms, and is pursuing a highly successful, proactive industry policy. The Government will continue this policy mix, which has been the source of much progress since 1992.

The State is in a healthy trading position. Debt has been reduced from \$30.6 billion, or around 30% of Gross State Product, in 1992 to \$11.3 billion today, down to 8.6% of Gross State Product. Annual budgets are now run at a surplus as a matter of practice. No longer do we borrow from our children to pay our way today.

Victoria's international credit rating, downgraded four notches between 1990 and 1992 under the previous Government, has been clawed back to just one step from triple-A.

The reform of the major services - education, health, social care and public transport - has been given equal attention to ensure services are high quality, readily accessible, meet the needs of Victorians and perform efficiently. Victoria is leading Australia in service levels in each of these fields, as well as in structuring the key services in such a way that they will be able to evolve and adapt in pace with our changing needs. Despite the improvement, my Government acknowledges still more needs to be done in the years ahead.

Extensive reform of justice and the safety of Victorians in their homes and communities have been two important priorities. Tougher sentences have been introduced to ensure those convicted of crimes incur penalties in line with community expectations. Changes in the prison system also give prisoners a better chance at life. The State's old jails have all been closed and replaced in the main by private prisons which are more humane, more secure and committed to the rehabilitation of prisoners. At the same time the access of Victorians to the law has been improved significantly through a major upgrading of facilities and the use of new technology.

A recent Crime Victimization Survey has confirmed the picture emerging from the Australian Bureau of Statistics over this decade that Victoria is the safest state in Australia. A co-operative effort by the Victoria Police, Transport Accident

Commission and the community generally has seen the number of Victorians killed on the roads reduced to a record low of 377 last year. The Government, however, regards that as an unacceptable waste of lives, and has intensified its ongoing Safety First strategy with the objective of progressively lowering the number of road deaths in coming years.

Under this administration unprecedented numbers of women have been appointed to senior positions in the public sector, public advisory bodies and the judiciary. The appointments are part of a policy which encourages the recognition of women for their endeavours, promotes career development for women, and assists them in combining their roles in their families and the workplace. As a landmark project, it has converted the former Queen Victoria Hospital to become a home for the women of Victoria.

During the past Session, the Parliament has provided bipartisan support for a series of motions which underline the importance of Victoria's diverse international society and commit Victorians to reconciliation with our indigenous people. It has reaffirmed Victorians as a free, independent people who are able to live together with great understanding and dignity. We are fortunate in Victoria to be a community which rejects intolerance and racism.

The changes which have been put in place and the renewed emphasis on social advantage over the rest of this term illustrates that the Government sees its role as a dynamic process. The objectives that have been met as a result of reforms since 1992 form part of a broader context. They have been driven by a concern to make the most of living in Victoria for all Victorians. My Government will continue providing leadership on decisions to shape the future social, economic and cultural dimensions of the State. It is this which has distinguished it from other governments in Australia.

The Government has been initiating a stream of efficiency improvements, providing new cuts in taxes and charges which come into effect from this year, to lift Victoria's standard of living. The biggest single reduction involves a \$1.3 billion dividend on water costs, which will yield an average 18% cut in household water bills across the State from this year. This incorporates \$450 million in capital works and 500 new jobs in the water industry in country Victoria. Again this year, the Government has frozen public transport fares.

The development of the competitive Victorian electricity market has produced substantial gains in industry efficiency and benefits to customers. Customers who have the ability to choose their supplier are already gaining substantial price reductions, and these benefits are expected to flow to customers generally - including households - when all customers have the right to choose their supplier from December, 2000.

With greater improvements in efficiency, the Government is introducing a new measure to enable franchise customers to share these benefits ahead of the time at which they are able to join the competitive market.

For the next three years, therefore, winter power bills will be reduced by \$60 for each Victorian household and small business, in addition to the winter concession received by concession card holders. This reduction in the cost of electricity for franchised customers has been made possible by the Government's decision to return to consumers revenue from electricity franchise fees paid by the privatised industry and is expected to amount to a cut of more than \$120 million in power costs each year for households and small businesses.

These measures build on the substantial cost reductions delivered through the pegging of electricity, gas and water charges below the inflation rate for the past three years, lower council rates, a \$106 million a year cut in tax on petrol and diesel from last June, and cuts for businesses in payroll taxes and workers' compensation premiums.

The Government will complete further groundbreaking reforms with the privatisation of all public transport services in the next 12 months. This program will coincide with the full implementation of automated ticketing across all modes of public transport, and is expected to bring additional improvements in services as well as cost savings.

The main, broad objectives for these next two years match the aspirations of Victorians for prosperity, safety, security, good health, and to live in pleasant surroundings and within a tolerant, cohesive society.

The priority is for Victoria to build a dynamic future for its coming generations with education as the basis of a vital economic and social strategy. The State has made enormous advances in education using online technology, providing greater autonomy for school communities, greater emphasis on curriculum and through reforms being implemented this year to the Victorian Certificate of Education. We are leading Australia in providing options for students to undertake vocational education and training.

In order to give young Victorians maximum access to the opportunities of the age of information and knowledge, the Government is taking the necessary steps now to bring about further improvement in classroom standards. Specifically, targets have been established for Victorian students to attain 100% proficiency in literacy by 2005 and to be among the top five in the world in mathematics and science by 2010.

The Government will work with its newly formed Science, Engineering and Technology Task Force to find solutions to two major obstacles - the substantial drop off in the number of secondary students choosing physical and chemical sciences, and the extremely low proportion of primary school teachers who specialise in teaching science.

The second major focus is to generate new jobs. Obviously, as the Government fully recognises, having a job is the crucial determinant in people's standard of living, and it is equally necessary for us to have a strong, growing and resilient economy to maintain growth in jobs. The number of Victorians in employment has recently reached record levels, with Victoria recording the largest fall in unemployment of any State in 1997. This area continues, however, to remain a high priority for the Government. Specific industry and employment policies will be directed towards maintaining high investment and export growth, reducing our taxation levels and generating the highest level of economic growth per head of population in Australia.

The Government will work to ensure all Victorians have the opportunity to share in the prosperity derived from a nationally and internationally competitive economy. Its business development targets will include special focus on natural resources and regional and rural businesses to ensure equitable job growth in country Victoria.

Thirdly, the Government will step up its already successful efforts to provide a safe and healthy lifestyle for Victorians. It will endeavour to reduce even further our comparatively low rate of crime and ensure people are able to live with a greater sense of personal security.

The Government is committed to the ongoing expansion and reform of health services which has seen dramatic improvement in access and more appropriate care for Victorians in the areas of acute, mental health and aged care services.

The distribution of health care facilities is being re-mapped and the application of telemedicine services is being extended in line with marked demographic shifts in Victoria so that facilities and services are closer to where people live. The recent opening of the \$70 million Epping Hospital provides firm evidence of this policy at work. Among other projects, a \$36 million health facility is being built at Broadmeadows, and the Latrobe Hospital will provide state of the art health care and a far wider range of community care services for the people of the Latrobe Valley when it opens later in the year. Even though it is to be a privately developed and owned hospital, it will provide access to public patients on exactly the same basis as any other public hospital in the State.

The Government's concern for the natural and urban environments as an important factor underpinning our quality of life has been highlighted with substantial improvements to existing parks and the creation of new parks and reserves, the development of Victoria's first comprehensive coastal strategy, and major environmental projects in Melbourne. The need to maintain the already high quality of our air, water and land as the population grows and economic activity increases is a fundamental challenge the Government will meet as it moves forward with strategies to improve the State's attractiveness.

As a fourth major objective, the Government will work with the broader Victorian community on a range of fronts to create a more confident and cohesive society. Specific programs range from ensuring we tackle complex problems such as drug and alcohol abuse, homelessness and youth suicide, to issues as basic as fostering consideration for others. Support will be provided to volunteers in whatever field they work, and awareness programs will be run to promote increased courtesy and consideration in the areas that have most impact on people's lives.

The \$100 million *Turning the Tide* on drugs program is being extended and resources are being committed to implement recommendations of the Suicide Prevention Task Force. These programs have been developed as part of a community wide endeavour to tackle two of the major social pitfalls of our age, and provide lifeguards to help young Victorians gain confidence and greater access to opportunities under the banner of the Government's Youth Life Force initiatives. Over four years, the Government is also providing \$100 million to support the legion of people who provide unpaid, round the clock care for people with disabilities, chronic and mental illness, and the elderly.

Key elements of the Victorian communications and multimedia strategy are coming into service, and by the end of this year the Government will be well advanced towards its objective to put all Government services and information online by 2001. The *maxi* electronic service delivery network is operating and its hallmark, touchscreen kiosks are currently being installed around the State. By midyear the VicOne network will be rolled out, providing a broadband link to all Government offices and facilities, including schools, hospitals and police stations.

Universal access to online technology - and access to training in the use of the technology - are the keys to our success. To this end, funding is progressively being approved for more than 100 *Skills.net* centres, which will give more than 40,000 Victorians the opportunity to gain a working knowledge of the Internet. The Government has also funded the recent establishment of Viclink, which has trebled the number of public Internet computers available at Victorian libraries and thus builds significantly on the community network already established by Vicnet.

Community service and access are two elements of a broader strategy to establish Victoria as a major high technology centre within Asia Pacific. The drive for new business in this sector has brought \$1.2 billion in new investment and thousands of

new jobs to Victoria and strengthened the State's position as Australia's main research and development centre.

The State's research and development effort will gain additional impetus from the work of the Science, Engineering and Technology Task Force, which has already proved its worth in its first six months and will have the role over the next couple of years of setting the agenda to enhance Victoria's knowledge base. The Government recognises medical research as a strategic advantage to Victoria and it will accordingly have special focus in new policy on research and development.

New technology has special importance in providing information and services, as well as business links and a promotional outlet, for country Victorians. In the space of just a few years it will have removed the barrier of distance for people in the country.

On a major wave of investment in food production and value adding in country centres, the Government has stepped up activity under its Food Victoria initiative, and the State is expected to exceed its objective to treble food exports to \$6 billion a year by 2001. The Partnerships for Growth program, designed to promote rural development and fund new facilities in country areas, has proved an outstanding success in its first year with one new project being approved every second day.

In order to build on the work of these programs and redefine its longer term vision for country Victoria, the Government will develop a new rural policy in consultation with country communities over the course of this year. The policy will be designed to strengthen the economies and social fabric of country communities, and will be supplemented by five specific regional development strategies.

Victoria is undergoing an era of investment at record levels in civic and economic infrastructure. The strength of the State's financial position is reflected in the fact that this rebuilding is being accomplished with no new debt. The Budget works program, together with projects financed by dedicated funds such as Agenda 21, the Community Support Fund and Better Roads Victoria, are adding to confidence, improving the lifestyle of Victorians and creating thousands of new jobs.

Between now and the turn of the century, Victorians can look forward to the completion of the major City Link infrastructure project, a number of additional key civic projects as part of the Agenda 21 program and extensive development of community facilities with money from the Community Support Fund. These projects, including the Museum, Federation Square, Old Customs House and the first stages of Docklands, will help to present a new face for Victoria and equip us with the civic infrastructure to serve the State through the 21st century.

The end of the Government's first planning timeframe will also be marked by a sequence of celebrations the like of which our present generations have never seen. Work is under way on celebrations for the arrival of the Olympics in Australia and the end of the millennium in 2000, and in 2001 the commemoration of Victoria's predominant role in Australia's Federation a century earlier.

These landmarks in history are part of the excitement that's yet to come as our State moves into a new era - one that we trust will bring continuing growth in prosperity and security for Victorians. They are occasions and images which the children of the times will carry with them forever.

The major legislation to be introduced in this Session of Parliament includes:

Amendments to further improve the quality of education in Victoria through the creation of self-governing schools;

The repeal of the Retail Tenancies Act and delivery of a reform package for retail businesses which will give new rights to lessees and lessors;

The sale of the National Rail Corporation, and provision for the establishment of a national track infrastructure body;

Implementation of the Road Safety Committee report on the effect of drugs other than alcohol on road safety;

A framework for the formation of catchment management authorities in each of Victoria's catchment and land protection regions; and

The Budget which, as an initiative of this Government, is now brought down in the first half of the year to enable work to begin on new projects and programs from July 1.

Parliament, as the supreme law giving body of the State, is requested to grant the essential passage of the legislation put before it to provide the necessary leadership and support to Victorians in their quest for future opportunity and ensure we are able to maintain the ideal of living in Victoria.

The preceding Session of the 53rd Parliament of Victoria was opened by my predecessor, the Honourable Richard E. McGarvie, AC, who retired in April last year and to whom I pay tribute for the distinguished manner in which he served the Crown and the State.

It is with deep regret I advise that since the Parliament was last opened, six former members have died: the Honourable William Montgomery Campbell, MLC for East Yarra, Deputy President and Chairman of Committees; the Honourable Andrew Arthur Hughes, MLA for Caulfield; the Honourable Charles James Murphy, MLA for Hawthorn; the Honourable John Joseph Jones, MLC for Ballarat; the Honourable Leslie George Norman, MLA for Glen Iris, and served as Government Whip, Minister Without Portfolio and Leader of the Liberal-Country Party; and the Honourable Kevin Myles Stephen Holland, MLA for Flemington.

I charge Government Ministers and Members of both Houses to continue providing good government in such a way that honours the integrity of the Parliament and our unique democracy in the equal interests of all Victorians.

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

17 February 1998

JAMES GOBBO
Governor of Victoria

- 10 **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 (*Ms McCall*) - and, after debate -

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

Ordered - That the debate be adjourned until tomorrow.

- 11 **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, George Seitz to act as Temporary Chairmen of Committees whenever requested so to do by the Chairman of Committees.

Given under my hand this Seventeenth day of February, One Thousand Nine Hundred and Ninety-Eight.

S. J. PLOWMAN
Speaker

- 12 **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 McGrath, Wimmera*) - put and agreed to.

- 13 **APPOINTMENT OF COMMITTEES** - Motion made, by leave, and question -

- (a) That Mr Jenkins, Mr Leigh, Mr McGrath (*Warrnambool*) Mr Mildenhall 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.
- (c) 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 Cameron, Mr Cooper, Mr Hulls, Mr Maclellan (*Pakenham*), Mr Micallef, Mr Perton, Mr Ryan, 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.
- (d) 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 McGrath, Wimmera*) - put and agreed to.

- 14 **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 McGrath, Wimmera*) - put and agreed to.

- 15 **TELEVISION AND BROADCASTING OF QUESTION TIME** - Motion made, by leave, and question - That this House authorises sound and/or visual transmissions and broadcasts from the Legislative Assembly chamber and sound and/or visual broadcasts and re-broadcasts of recordings of proceedings of the Legislative Assembly during question time tomorrow (*Mr McGrath, Wimmera*) - put and agreed to.
- 16 **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.
- 17 **ADJOURNMENT** - Motion made and question - That the House do now adjourn (*Mr McGrath, Wimmera*) - put, after debate, and agreed to.
- And the House, at 9.28 p.m., adjourned until tomorrow.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 2 - Wednesday, 18 February 1998

- 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 **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 Institute of Marine Sciences - 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 17 February 1998:
- Accident Compensation (Miscellaneous Amendment) Act 1997 - Sections 13, 16(1), 16(3), 17, 18, 39(1), 40, 41, 44, 53, 54, 55, 56, 57, 58, 64 and 68 on 1 February 1998. Sections 23 and 42 on 29 June 1998 (*Gazette No. G3, 22 January 1998*)
- Alpine Resorts (Management) Act 1997 - Sections 3, 9, 10, 11, 63, 64, 65, 68 and 73 on 16 December 1997 (*Gazette No. S159, 16 December 1997*)
- Corrections (Amendment) Act 1996 - Sections 11, 12 and 13 on 20 December 1997 (*Gazette No. G50, 18 December 1997*)
- Evidence (Audio Visual and Audio Linking) Act 1997 - Remaining provisions on 22 December 1997 (*Gazette No. G50, 18 December 1997*)
- Fire Authorities (Amendment) Act 1997 - Sections 3, 5, 6, 10, 11(2) and 13 on 5 December 1997 (*Gazette No. G48, 4 December 1997*)
- Fisheries Act 1995 - Sections 155(4) and 162 on 18 December 1997 (*Gazette No. G50, 18 December 1997*)

- Food (Amendment) Act 1997 - Sections 9 and 10 on 8 February 1998 (*Gazette No. G5, 5 February 1998*)
- Gaming Acts (Miscellaneous Amendment) Act 1997 - Sections 3, 5, 6, 21, 24, 25 and 26 on 22 January 1998 (*Gazette No. G3, 22 January 1998*)
- Gas Industry (Further Amendment) Act 1997 - Sections 3, 4, 28 and 31 on 9 December 1997. Remaining provisions (except for sections 12 and 37(1)) on 11 December 1997 (*Gazette No. S155, 9 December 1997*)
- Health Services (Amendment) Act 1997 - Part 2 on 18 December 1997 (*Gazette No. G50, 18 December 1997*)
- Law and Justice Legislation (Further Amendment) Act 1997 - Part 7 on 8 December 1997 (*Gazette No. G48, 4 December 1997*)
- Local Government (Miscellaneous Amendment) Act 1997 - Sections 5(1) and 6 on 12 December 1997. Sections 15 and 18 on 31 March 1998 (*Gazette No. G49, 11 December 1997*)
- Police and Corrections (Amendment) Act 1997 - Part 2 on 31 December 1997 (*Gazette No. G50, 18 December 1997*)
- Port Services (Amendment) Act 1997 - Sections 6(1), 6(2), 7 and 8 on 9 December 1997. Remaining provisions (except for sections 6(3) and 6(4)) on 10 December 1997 (*Gazette No. G48, 4 December 1997*)
- Sentencing (Amendment) Act 1997 - Sections 7 and 8 on 11 December 1997 (*Gazette No. G49, 11 December 1997*)
- Sentencing and Other Acts (Amendment) Act 1997 - Sections 4(a), 8(1) and (2)(a), 12, 23 and 24 on 15 December 1997 (*Gazette No. G49, 11 December 1997*)
- Urban Land Corporation Act 1997 - Remaining provisions on 3 February 1998 (*Gazette No. S5, 3 February 1998*)
- Vocational Education and Training (Training Framework) Act 1997 - Remaining provisions on 1 January 1998 (*Gazette No. G50, 18 December 1997*)
- Water Acts (Further Amendment) Act 1997 - Sections 3, 4, 5(1), 6(1), 6(2), 6(3), 7(1), 7(3), 7(4), 9(1), 12, 13, 14, 15, 16, 19, 20, 23, 24, 25, 26, 27, 28(1), 28(2), 29, 30(2), (except paragraph (a)), 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 46 on 1 January 1998. Remaining provisions (except sections 7(2) and 32) on 1 July 1998 (*Gazette No. G51, 24 December 1997*)
- Wildlife (Amendment) Act 1997 - Sections 30, 31, 32, 33, 34, 35, 36, 37, 38 and 40 on 18 December 1997 (*Gazette No. G50, 18 December 1997*).

- 4 **FIRE AND EMERGENCY SERVICES ACTS (AMENDMENT) BILL** - Mr McGrath, (*Wimmera*) obtained leave, with Mrs Wade, to bring in a Bill "*to amend the Country Fire Authority Act 1958 and the Victoria State Emergency Service Act 1987 and the Fire Authorities (Contributions) 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.
- 5 **FIREARMS (AMENDMENT) BILL** - Mr McGrath (*Wimmera*) obtained leave, with Mrs Wade, to bring in a Bill "*to amend the Firearms 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.

- 6 **RETAIL TENANCIES REFORM BILL** - Mr Reynolds obtained leave, with Mr Honeywood, to bring in a Bill "*to reform the law relating to retail tenancies, to repeal the **Retail Tenancies 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.
- 7 **VALUATION OF LAND (AMENDMENT) BILL** - Mr Honeywood obtained leave, with Mr Reynolds, 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.
- 8 **SESSIONAL ORDERS** - Motion made 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 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

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.
 - (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.
- (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 McGrath, Wimmera).

Amendments proposed -

1. That in paragraph 1 the words "10 a.m." be omitted and replaced with "9.30 a.m."
2. That in sub-paragraph 2(1) the words "(including motions pursuant to standing order no. 26 which is hereby to the necessary extent suspended, but not including want of confidence in the Government)" be omitted.
3. That sub-paragraph 3(2) be omitted and replaced with "At 1.45 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 1.45 p.m. such division shall be completed and the result announced and if such division be upon a closure motion any question requiring to be brought to conclusion as a result of such division shall be so brought to conclusion and call upon a Member (except a Minister) to make a statement on any matter for not more than 90 seconds.

4. That sub-paragraph 3(3) be omitted and replaced with "Any business under discussion and not disposed of at 1.45 p.m. shall be resumed immediately at the conclusion of the asking of 90 second statements and oral questions and any member speaking at the time of the interruption may, upon the resumption of debate thereon, continue such speech.
5. That in sub-paragraph 2(2) the words "other than appointed Wednesdays pursuant Sessional Order No. 4," be omitted. That sub-paragraphs 2(2) 1-5 be omitted and the following words be inserted:
 - "1. General Business - Notices of Motion
 2. General Business - Orders of the Day
 3. 90-second statements (at 1.45 pm)
 4. Oral Questions (at 2.00 pm) (1 hour)
 5. Definite Matters of Urgent Public Importance (1 hour)
 6. Government Business - Orders of the Day."
6. 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.

7. Omit sub-paragraph 4(1) and sub-paragraph 4(2) and insert the following paragraph: "4. That so much of standing order no 59 be suspended so as to allow that on those Thursdays, business shall be called on in the following order:
 - 1 Grievances (4 hours).
 - 2 General Business - Committee Reports
 - 3 Government Business - Orders of the Day.
 - 4 90-Second statements (at 1.45 pm).
 - 5 Oral questions (At 2.00 pm).
 - 6 Matters of Public Importance (1 hour).
 - 7 General business.
 - 8 Government business."
8. In sub-paragraph 5. (1) omit the words "10.00 p.m." and add the words "7.30 p.m."
9. 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."
10. After paragraph 6 (2) insert the following paragraph:

"6 (2)(i) Where possible times for all Government Business will be fixed by agreement one week in advance. Notice of agreed times will be publicly announced."
11. After paragraph (9) insert the following paragraph:

"(10) So much of standing order 117 be suspended so as to allow Mr Speaker to suspend a Member from attendance for one hour if that Member is engaging in what Mr Speaker determines to be unruly behaviour to misconduct falling short of highly disorderly conduct pursuant to standing order 116."
12. That Standing Order 26(c) be suspended and that the following provision be made:

"(c) In speaking to such motion debate shall be strictly confined to the subject matter stated, the mover shall not exceed twenty minutes, any other member shall not exceed 10 minutes, and the whole discussion on the subject shall not exceed one hour."
13. That so much of Standing Order 104 be suspended so as to provide that no member shall speak for more than twenty minutes in any debate in the House.

(Mr Batchelor) - and, after debate -

Question - That the amendments be agreed to -

Motion made and question - That the question be now put *(Mr Kilgour)* - put.

The House divided.

*AYES, 54

Mr Andrighetto	Mr Jenkins	Dr Napthine	Mr Spry
Mr Ashley	Mr John	Mr Paterson	Mr Steggall
Mr Clark	Mr Lean	Mr Perrin	Mr Stockdale
Mr Coleman	Mr Leigh	Mr Perton	Mr Thompson
Mr Cooper	Mr Lupton	Mrs Peulich	Mr Traynor
Ms Davies	Mr McArthur	Mr Phillips	Mr Treasure
Dr Dean	Ms McCall	Mr Plowman	Mr 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	<i>Tellers</i>
Mr Gude	Mr McNamara	Mr Savage	Ms Burke
Mrs Henderson	Mr MacLellan	Mrs Shardey	Mr Kilgour
Mr Honeywood	(Pakenham)	Mr Smith	Mr Smith
Mr Jasper	Mr Maughan	(Polwarth)	(Glen Waverley)

NOES, 29

Mr Andrianopoulos	Mr Cunningham	Mr Lim	Mr Thwaites
Mr Baker	Mr Dollis	Mr Loney	Mrs Wilson
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 Robinson	Mr Cameron
Mr Carli	Ms Kosky	Mr Seitz	Mr Langdon
Mr Cole	Mr Leighton	Mr Sheehan	Mrs Maddigan

And so it was resolved in the affirmative.

Question - That the amendments be agreed to - accordingly put.

The House divided.

AYES, 31

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

* Division corrected by direction of Mr Deputy Speaker. See Votes and Proceedings, Wednesday, 18 February 1998 p.27.

NOES, 52

Mr Andrighetto	Mr John	Mr Paterson	Mr Stockdale
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 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 Kilgour
Mr Jasper	Mr Maughan	Mr Spry	Mr Smith
Mr Jenkins	Dr Napthine	Mr Steggall	(Glen Waverley)

And so it passed in the negative.

Original motion - put and agreed to.

9 TELEVISIONING AND BROADCASTING OF PROCEEDINGS - Motion made and question proposed -

That -

(1) this House authorises -

- (a) sound transmissions from the Legislative Assembly chamber to offices within Parliament House; and
- (b) sound transmissions from the Legislative Assembly chamber to government offices outside Parliament House in accordance with the approval of Mr Speaker except -
 - (i) sound transmissions of Legislative Assembly proceedings, being debate on a motion that grievances be noted or debate on a motion moved by a Minister for the adjournment of the House at the end of a day's proceedings; and
 - (ii) sound transmissions of anything occurring in the Legislative Assembly chamber prior to the time fixed for the meeting of the House or after the adjournment of the House; and
- (c) publication in electronic form of the record of the proceedings of the Legislative Assembly; and
- (d) sound and/or visual transmissions and broadcasts from the Legislative Assembly chamber and sound and/or visual broadcasts and re-broadcasts of recordings of proceedings of the Legislative Assembly except -
 - (i) sound and/or visual transmissions or broadcasts of, or sound and/or visual broadcasts or re-broadcasts of recordings of, Legislative Assembly proceedings, being debate on a motion that grievances be noted or debate on a motion moved by a Minister for the adjournment of the House at the end of a day's proceedings; and
 - (ii) sound and/or visual transmissions or broadcasts of, or sound and/or visual broadcasts or re-broadcasts of recordings of anything occurring in

the Legislative Assembly chamber prior to the time fixed for the meeting of the House or after the adjournment of the House;

- (2) the following conditions be required to be observed by media organisations making sound and/or visual transmissions or broadcasts from the Legislative Assembly chamber or sound and/or visual broadcasts or re-broadcasts of recordings of proceedings of the Legislative Assembly pursuant to paragraph (1)(d) and any breach of the exceptions and these conditions may result in the immediate suspension of privileges by Mr Speaker:
- (a) Media organisations or individuals must be accredited by Mr Speaker.
 - (b) Sound shall be recorded only from the audio signal of proceedings transmitted by the House monitoring system by representatives of accredited media organisations or individuals. No alteration to the sound relay equipment is permitted without the permission of Mr Speaker. The use of separate recording equipment is not permitted unless authorised by Mr Speaker.
 - (c) Visual and/or sound recordings and excerpts of visual and/or sound recordings shall not commence until the conclusion of the prayer and 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) Visual and/or sound recordings and excerpts of visual and/or sound recordings shall not be used for:
 - (i) political party advertising or election campaigns; or
 - (ii) satire or ridicule; or
 - (iii) commercial sponsorship or commercial advertising; or
 - (iv) television advertisements or promotion.
 - (e) Visual and/or sound recording of any particular proceeding must provide equality between Government and Non-government Members.
 - (f) Visual and/or sound transmissions or broadcasts of, or broadcasts or re-broadcasts of recordings of, proceedings shall be such as to provide in context a balanced presentation of differing views and may not include the transmission or broadcast of, or broadcast or re-broadcast of a recording of events in the chamber unrelated to the proceedings of the House.
 - (g) Visual and/or sound excerpts of recordings of proceedings must be placed in context. Commentators should identify Members at least by name.
 - (h) Visual and/or sound excerpts of recordings of proceedings shall not misrepresent any proceeding before the House, or the seating position, or office held by any Member of the House.
 - (i) When making visual and/or sound transmissions or recordings, camera operators shall operate within the guidelines issued by the Speaker.
 - (j) The visual and/or sound transmission of points of order or remarks withdrawn are not to be rebroadcast.
 - (k) Media personnel are required to obey any instruction given by Mr Speaker or Mr Speaker's delegates;
- (3) this resolution continues in force unless and until amended or rescinded by the House in this or a subsequent Parliament.

(Mr Gude).

Amendments proposed -

That -

- (1) In paragraph (1) omit in sub-paragraph (b) the word "except" and sub-paragraph (i) and (ii).
- (2) In paragraph (1) omit in sub-paragraph (d) the word "except" and sub-paragraph (i) and (ii).
- (3) In paragraph (2) omit the words "pursuant to paragraph (1) (d)."
- (4) In sub-paragraph (2) (c) omit words "shall not commence until the conclusion of the prayer and".
- (5) Omit sub-paragraph (2) (d).
- (6) In sub-paragraph (2) (f) omit all words after "views".
- (7) Omit sub-paragraph (2) (j).
- (8) That the following paragraph be added to the motion:

"(4) That the Joint House Committee inquire into and report to the House on:

- (a) the measures and technical requirements for improving the television picture provided of the House, and
- (b) the potential for broadcasting the procedures of the Parliament more widely on radio, television and the Internet."

(Mr Batchelor) - and, after debate -

Question - That the amendments be agreed to -

Motion made and question - That the question be now put (Mr Finn) - put.

The House divided.

*AYES, 52

Mr Andrighetto	Mr Kennett	Mr Paterson	Mr Steggall
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 Reynolds	
Mrs Elliott	(Wimmera)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(Frankston East)	Mr Ryan	
Mrs Henderson	Mr McNamara	Mr Savage	Tellers
Mr Honeywood	Mr Maclellan	Mrs Shardey	Ms Burke
Mr Jasper	(Pakenham)	Mr Smith	Mr Kilgour
Mr Jenkins	Mr Maughan	(Polwarth)	Mr Smith
Mr John	Dr Napthine	Mr Spry	(Glen Waverley)

* Division list corrected by direction of Mr Acting Speaker. See Votes and Proceedings Thursday, 19 February 1998 page 30.

NOES, 29

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	<i>Tellers</i>
Mrs Campbell	Mr Haermeyer	Mr Pandazopoulos	Mr Cameron
Mr Carli	Mr Hamilton	Mr Robinson	Mr Langdon
Mr Cole	Mr Hulls	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Question - That the amendments be agreed to - accordingly put.

The House divided.

AYES, 30

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	Mr Seitz
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 Hamilton	Mr Robinson	Mr Langdon
Mr Cole	Mr Hulls	Mr Savage	Mrs Maddigan

NOES, 51

Mr Andrighetto	Mr Kennett	Mr Paterson	Mr Thompson
Mr Ashley	Mr Lean	Mr Perrin	Mr Traynor
Mr Clark	Mr Leigh	Mr Perton	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 Dixon	Mrs McGill	<i>(Benambra)</i>	
Mr Doyle	Mr McGrath	Mr Reynolds	
Mrs Elliott	<i>(Wimmera)</i>	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	<i>(Frankston East)</i>	Mr Ryan	
Mrs Henderson	Mr McNamara	Mrs Shardey	<i>Tellers</i>
Mr Honeywood	Mr Maclellan	Mr Smith	Ms Burke
Mr Jasper	<i>(Pakenham)</i>	<i>(Polwarth)</i>	Mr Kilgour
Mr Jenkins	Mr Maughan	Mr Spry	Mr Smith
Mr John	Dr Napthine	Mr Steggall	<i>(Glen Waverley)</i>

And so it passed in the negative.

Question - That the motion be agreed to - put.

The House divided.

AYES, 49

Mr Andrighetto	Mr Kennett	Mr Perrin	Mr Thompson
Mr Ashley	Mr Lean	Mr Perton	Mr Traynor
Mr Clark	Mr Leigh	Mrs Peulich	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	Mrs McGill	Mr Reynolds	
Mr Doyle	Mr McGrath	Mr Richardson	
Mrs Elliott	(Wimmera)	Mr Rowe	
Mr Finn	Mr McNamara	Mr Ryan	
Mr Gude	Mr Maclellan	Mrs Shardey	Tellers
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, 27

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

And so it was resolved in the affirmative.

- 10 **GRIEVANCES** - Motion made, by leave, and question - That for the purposes of Sessional Order No. 4(1), Wednesday, 18 March 1998 and Wednesday, 22 April 1998 be appointed days upon which the question "That grievances be noted" may be put (*Mr Gude*) - put and agreed to.

- 11 **ERROR IN DIVISION LIST** - Mr Deputy Speaker informed the House that, in the division which took place in the House earlier this day, on the question "That the question be now put" on the Sessional Orders Motion, the Tellers for "Ayes" inadvertently missed recording the name of the Honourable Member for Shepparton, Mr Kilgour. The "Ayes" vote should have been "54".

Mr Deputy Speaker then directed the Clerk to correct the Division List accordingly.

- 12 **ARTS ACTS (STATUTE LAW REVISION) 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 Batchelor*) - put and agreed to.

Ordered - That the debate be adjourned until Wednesday, 4 March 1998.

- 13 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Order read for resuming debate on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 12 *ante*); debate resumed.

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

- 14 **ADJOURNMENT** - Mr Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.48 p.m.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 3 - Thursday, 19 February 1998

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Port Phillip Bay Foreshore - High Rise Development** - Seeking that zoning laws be urgently introduced limiting buildings near the foreshore around Port Phillip Bay to two stories, bearing 89 signatures (*by Mr Lean*)
 - Animal Shelters/Pounds** - Seeking that - (a) the Code of Practice for Pounds and Shelters will not be amended to force animal shelters or pounds to hold singly admitted pups in solitary cells, and (b) shelter or pound managers be allowed to use their discretion to house up to two adult dogs per pen and up to four pups in such pens, bearing 40 signatures (*by Mr Smith, Glen Waverley*)
 - Residential Bee Keeping** - Seeking that the amended Code S 44 of the Planning and Environment Act 1987 be challenged and amended once more with consideration given to the option of reintroducing the requirement for a planning permit or excluding the possibility of siting hives in locations which are in close proximity to schools, shopping centres and residential areas generally, bearing 404 signatures (*by Mr Smith, Glen Waverley*)
 - Accident Compensation Act** - Seeking that there will be no changes to the Accident Compensation Act 1985 as a result of the current review of WorkCover, bearing 7 signatures (*by Mr Seitz*)
 - Public Hospital System** - Seeking that the public hospital system remain in public hands in order to serve the best interests of the Australian community, bearing 656 signatures (*by Mr Savage*).

Severally ordered to lie on the Table.

- 3 **PETITION - PUBLIC HOSPITAL SYSTEM** - Motion made and question - That the petition presented by the Member for Mildura relating to the Public Hospital System be taken into consideration tomorrow (*Mr Savage*) - put and agreed to.
- 4 **ROAD SAFETY COMMITTEE** - Mr Langdon, brought up a Report from the Road Safety Committee upon the Inquiry into the Review of Motorcycle Safety in Victoria, together with Appendices.

Ordered to lie on the Table and to be printed.

- 5 **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. 12 *ante*); debate resumed.

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

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

- 7 **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. 12 *ante*).

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.

- 8 **FIRE AND EMERGENCY SERVICES ACTS (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, 5 March 1998.

- 9 **FIREARMS (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.

Motion made and question proposed - That the debate be adjourned for two weeks (*Mr McGrath, Wimmera*).

Amendment proposed - That the word "two" be omitted with the view of inserting in place thereof the word "four" (*Mr Haermeyer*) - and, after debate -

Question - That the word proposed to be omitted stand part of the question - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 5 March 1998.

- 10 **RETAIL TENANCIES REFORM BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).

Mr Reynolds 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.

Ordered - That the debate be adjourned until Thursday, 5 March 1998.

-
- 11 **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, 5 March 1998.
- 12 **ERROR IN DIVISION LIST** - Mr Acting Speaker informed the House that, in the division which took place in the House on 18 February 1998, on the question "That the question be now put" on the Televising and Broadcasting resolution, the Tellers for the "Ayes" inadvertently recorded the name of the Honourable Member for Tullamarine, Mr Finn, twice. One of these should have referred to the Honourable Member for Cranbourne, Mr Rowe.
- Mr Acting Speaker then directed the Clerk to correct the Division List accordingly.
- 13 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mrs Tehan*) - put and agreed to.
- 14 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 4.28 p.m., adjourned until Tuesday, 24 February 1998.

P. J. MITHEN

Clerk of the Legislative Assembly

S. J. PLOWMAN

Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos. 4, 5 and 6

No. 4 - Tuesday, 24 February 1998

1 Mr Speaker took the Chair and read the Prayer.

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

3 **PAPERS PURSUANT TO STATUTE** -

Mr Speaker presented -

BLF (De-recognition) Act 1985 - Thirty-eighth 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:

Melbourne City Link Act 1995 - Orders pursuant to section 8(4) increasing the Project Area

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

Boroondara Planning Scheme - Nos. L43, L46

Buloke Planning Scheme - No. L4

Greater Geelong Planning Scheme - No. L193

Melbourne Planning Scheme - Nos. L28, L289

Stonnington Planning Scheme - No. L30

Whittlesea Planning Scheme - No. L157

Statutory Rules under the following Acts:

Health Services Act 1988 - S.R. No. 10

Subordinate Legislation Act 1994 - S.R. No. 9

Tobacco Act 1997 - S.R. No. 11

Subordinate Legislation Act 1994 -

Minister's exception certificate in relation to Statutory Rule No. 9

Minister's exemption certificates in relation to Statutory Rule Nos. 10, 11.

4 **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. 12 *ante*); debate resumed.

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

- 5 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.07 p.m.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 5 - Wednesday, 25 February 1998

- 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 - 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 32 signatures (*by Mrs Maddigan*)
- Primary School Nursing Program** - Seeking that the School Nursing Program be retained in all Primary Schools in Victoria, bearing 178 signatures (*by Mr Savage*)
- Dental Surgery/Medicine** - Seeking that - (a) dental surgery or medicine be regulated to ensure that only qualified and registered dental operatives be allowed to practise; and (b) restrictions on who may own dental practices be maintained, bearing 271 signatures (*by Mr McGrath, Warrnambool*).
- Severally ordered to lie on the Table.
- 3 **PETITION - PRIMARY SCHOOL NURSING PROGRAM** - Motion made and question - That the petition presented by the Member for Mildura relating to the retention of the School Nursing Program in all Primary Schools in Victoria be taken into consideration tomorrow (*Mr Savage*) - 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:
- National Crime Authority - Report for the year 1996-97 (together with comments made on the Report by the Inter-Governmental Committee).
- 5 **AUDIT/ACCIDENT COMPENSATION ACTS** - Motion made and question proposed - That this House calls on the Kennett Government to immediately introduce legislation to repeal the provisions put in place by the *Audit Act (Amendment) Act 1997* and the *Accident Compensation (Miscellaneous Amendment) Act 1997* as a result of the people of Mitcham voting overwhelmingly against the Government's attacks on the independence of the Auditor-General and the legal rights of injured workers as evidenced by the massive 15.8% swing against the Kennett Government in the Mitcham by-election and the Premier's claims that he will be less arrogant and more consultative and listen to views of ordinary Victorians (*Mr Brumby*) - 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 **TRANS-TASMAN MUTUAL RECOGNITION (VICTORIA) BILL** - Mr Kennett obtained leave with Mr Gude, to bring in a Bill "*to adopt the Trans-Tasman Mutual Recognition Act 1997 of the Commonwealth and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **ELECTRICITY SAFETY BILL** - Mr Kennett, after debate, obtained leave with Mr Gude, to bring in a Bill "*relating to the safety of electricity supply and use and 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.
- 9 **FINANCIAL MANAGEMENT (AMENDMENT) BILL** - Mr Kennett obtained leave with Mr Gude, to bring in a Bill "*to amend the Financial Management Act 1994 with respect to accrual output budgeting and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **EDUCATION (TEACHERS) BILL** - Mr Gude, after debate, obtained leave with Mrs Wade, to bring in a Bill "*to amend the Education Act 1958 to provide for the disqualification from teaching of teachers found guilty of sexual offences involving children and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **SUMMARY OFFENCES (AMENDMENT) BILL** - Mrs Wade obtained leave with Mr Gude, to bring in a Bill "*to amend the Summary Offences 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.
- 12 **PUBLIC PROSECUTIONS (AMENDMENT) BILL** - Mrs Wade obtained leave with Mr Reynolds to bring in a Bill "*to amend the Public Prosecutions 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.
- 13 **GEOGRAPHIC PLACE NAMES BILL** - Mrs Tehan obtained leave with Mr McNamara, to bring in a Bill "*to make provision for the naming of places and the registration of place names, to amend the Survey Co-ordination Act 1958 and 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.
- 14 **TERTIARY EDUCATION (AMENDMENT) BILL** - Mr Honeywood, after debate, obtained leave with Mr Reynolds, to bring in a Bill "*to amend 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.
- 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. 12 *ante*); debate resumed.

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

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

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 6 - Thursday, 26 February 1998

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

Public Housing Reform Package - Seeking that the Government - (a) reverse its decision to increase rents, reduce security of tenure and tighten eligibility for public housing tenants; (b) not proceed with policy changes which will cause damage to the housing system; and (c) initiate a process for open and ongoing public consultation with the community sector in respect of future housing policy, bearing 2,086 signatures (by Mr Brumby).

Ordered to lie on the Table.

- 3 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 17 March 1998 (Mr Gude) - put and agreed to.
- 4 **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. 12 *ante*); debate resumed.

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

- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 6 **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. 12 *ante*).

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

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

7 TRANS-TASMAN MUTUAL RECOGNITION (VICTORIA) 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 Mildenhall*) - put and agreed to.

Motion made and question - That the debate be adjourned for one week (*Mr Maclellan, Pakenham*) - after debate, put.

The House divided.

AYES, 50

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

NOES, 23

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

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 5 March 1998.

8 FINANCIAL MANAGEMENT (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 Bracks*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 12 March 1998.

9 EDUCATION (TEACHERS) 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 Mildenhall*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 12 March 1998.

- 10 **SUMMARY OFFENCES (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, 12 March 1998.

- 11 **PUBLIC PROSECUTIONS (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, 12 March 1998.

- 12 **GEOGRAPHIC PLACE NAMES 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, 12 March 1998.

- 13 **TERTIARY EDUCATION (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 Hamilton*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 12 March 1998.

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

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

And the House, at 5.21 p.m., adjourned until Tuesday, 17 March 1998.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos. 7, 8 and 9

No. 7 - Tuesday, 17 March 1998

- 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:

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 1,619 signatures (*by Mr Spry*).

Ordered to lie on the Table.

- 4 **PAPERS** -

VICTORIAN WORKCOVER AUTHORITY - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Victorian WorkCover Authority for the six months ending 31 December 1997 (*Mr Stockdale*) - put and agreed to.

The said report was presented by Mr Stockdale 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. 1 of 1998 on the -

Arts Acts (Statute Law Revision) Bill
Education (Teachers) Bill
Financial Management (Amendment) Bill
Fire and Emergency Services Acts (Amendment) Bill
Firearms (Amendment) Bill
Geographic Place Names Bill
Health Acts (Statute Law Revision) Bill
Public Prosecutions (Amendment) Bill
Retail Tenancies Reform Bill
Summary Offences (Amendment) Bill
Tertiary Education (Amendment) Bill
Trans-Tasman Recognition (Victoria) Bill
Valuation of Land (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:

Drugs, Poisons and Controlled Substances Act 1981 - Documents pursuant to section 12H - Poisons Code -

Amendment No. 2 to the Standard for the Uniform Scheduling of Drugs and Poisons No. 12, and notice regarding the amendment, commencement and availability of the Poisons Code

Environment Conservation Council Act 1997 - Interim Report for the Investigation of Marine, Coastal and Estuarine Areas

Financial Management Act 1994 - Report of the Minister for Agriculture and Resources that he had received the 1996-97 Annual Report of the Victorian Strawberry Industry Development Committee

Local Authorities Superannuation Fund - Report on the Actuarial Investigation as at 30 June 1997

National Electricity Pty Ltd - Financial Statements for the period ended 6 November 1997

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

All Metropolitan Region Planning Schemes - No. R134

All Planning Schemes - No. S71

Boroondara Planning Scheme - No. L44

Doncaster and Templestowe Planning Scheme - Nos. L125, L128 Parts 1 and 2

Glen Eira Planning Scheme - Nos. L26, L28

Greater Geelong Planning Scheme - Nos. R218, RL 186 Part 2

Hume Planning Scheme - No. L43

Knox Planning Scheme - No. L146

Macedon Ranges Planning Scheme - No. L17

Maribyrnong Planning Scheme - No. L31

Melbourne Planning Scheme - Nos. L311, L313, L314

Port Phillip Planning Scheme - No. L61

Rosedale Planning Scheme - No. L47

Stawell (Shire) Planning Scheme - No. L22 Part 1

Warrnambool Shire Planning Scheme - No. L15

Whittlesea Planning Scheme - Nos. L143, L155

Yarra Ranges Planning Scheme - No. L82

Power Net Victoria - Financial Statements for the period ended 6 November 1997

Statutory Rules under the following Acts:

Adoption Act 1984 - S.R. No. 13

Supreme Court Act 1986 - S.R. No. 14

Tobacco Act 1987 - S.R. No. 12

St Vincent's Hospital Melbourne - Report for the year 1996-97

Subordinate Legislation Act 1994 -

Minister's exception certificate in relation to Statutory Rule No. 14

Minister's exemption certificate in relation to Statutory Rule No. 12

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 17 February 1998:

Disability Services and Other Acts (Amendment) Act 1997 - Part 2 on 3 March 1998
(*Gazette No. G8, 26 February 1998*)

Fisheries Act 1995 - Remaining provisions on 1 April 1998 (*Gazette No. G8, 26 February 1998*)

Transport Acts (Amendment) Act 1997 - Division 4 of Part 2 and sections 30, 31(1), 31(2), 31(3) and 32 on 17 March 1998 (*Gazette No. G10, 12 March 1998*)

Veterinary Practice Act 1997 - Remaining provisions on 17 March 1998 (*Gazette No. G10, 12 March 1998*)

Wildlife (Amendment) Act 1997 - Remaining provisions on 21 March 1998 (*Gazette No. G10, 12 March 1998*).

- 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:

Financial Management (Amendment) Bill
Firearms (Amendment) Bill
Fire and Emergency Services Acts (Amendment) Bill
Geographic Place Names Bill
Retail Tenancies Reform 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, 19 March 1998:

Trans-Tasman Mutual Recognition (Victoria) Bill
Financial Management (Amendment) Bill
Education (Teachers) Bill
Tertiary Education (Amendment) Bill
Public Prosecutions (Amendment) Bill
Geographic Place Names Bill

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

- 7 **ELECTRICITY 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, after debate - That the debate be adjourned until Tuesday, 31 March 1998.

- 8 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 2, be postponed until later this day.

- 9 **TRANS-TASMAN MUTUAL RECOGNITION (VICTORIA) 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 **FINANCIAL MANAGEMENT (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 meaningful output measures detailed to small sub-program levels are determined" (*Mr Bracks*) - 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 Jenkins	Dr Napthine	Mr Stockdale
Mr Ashley	Mr John	Mr Paterson	Mrs Tehan
Mr Clark	Mr Lean	Mr Perrin	Mr Thompson
Mr Coleman	Mr Leigh	Mrs Peulich	Mr Traynor
Mr Cooper	Mr Lupton	Mr Phillips	Mr Treasure
Ms Davies	Mr McArthur	Mr Plowman	Mrs Wade
Dr Dean	Ms McCall	(<i>Benambra</i>)	Mr Wells
Mr Dixon	Mrs McGill	Mr Reynolds	
Mr Doyle	Mr McGrath	Mr Richardson	
Mr Elder	(<i>Wimmera</i>)	Mr Ryan	
Mrs Elliott	Mr McLellan	Mr Savage	
Mr Finn	(<i>Frankston East</i>)	Mrs Shardey	<i>Tellers</i>
Mr Gude	Mr McNamara	Mr Smith	Ms Burke
Mrs Henderson	Mr Maclellan	(<i>Polwarth</i>)	Mr Kilgour
Mr Honeywood	(<i>Pakenham</i>)	Mr Spry	Mr Smith
Mr Jasper	Mr Maughan	Mr Steggall	(<i>Glen Waverley</i>)

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Lim	
Mr Baker	Ms Garbutt	Mr Loney	
Mr Batchelor	Ms Gillett	Mr Mildenhall	
Mr Bracks	Mr Haermeyer	Mr Pandazopoulos	
Mr Brumby	Mr Hamilton	Mr Robinson	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Seitz	Mr Cameron
Mr Carli	Ms Kosky	Mr Thwaites	Mr Langdon
Mr Cunningham	Mr Leighton	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.

- 11 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 5, be postponed until later this day.

- 12 **TERTIARY EDUCATION (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 **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. 12 *ante*); 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 11.02 p.m.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 8 - Wednesday, 18 March 1998

- 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:
Statutory Rules under the following Acts:
Business Franchise (Petroleum Products) Act 1979 - S.R. No. 15
Business Franchise (Tobacco) Act 1974 - S.R. No. 15
Children and Young Persons Act 1989 - S.R. No. 18
Magistrates' Court Act 1989 - S.R. Nos. 16, 17
Subordinate Legislation Act 1994 - Minister's exception certificates in relation to Statutory Rule Nos. 16, 17, 18.
- 3 **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 Electricity Safety Bill.
- 4 **GRIEVANCES** - Question - That grievances be noted - put, after debate, and agreed to.
- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).

-
- 6 **ELECTRICITY INDUSTRY (AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Electricity Industry Act 1993 and the Electricity Industry (Miscellaneous Amendment) 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.
- 7 **STATE TRUSTEES (AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the State Trustees (State Owned Company) Act 1994, 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 **TRANSPORT ACTS (AMENDMENT) BILL** - Mr Cooper obtained leave with Mr Gude, to bring in a Bill "*to amend the National Rail Corporation (Victoria) Act 1991, the Transport Act 1983 and Rail Corporations (Amendment) 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.
- 9 **SEA-CARRIAGE DOCUMENTS BILL** - Mrs Wade obtained leave with Mr Gude, to bring in a Bill "*to reform the law relating to bills of lading, sea waybills and ship's delivery orders, to amend 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.
- 10 **EVIDENCE (CONFIDENTIAL COMMUNICATIONS) BILL** - Mrs Wade obtained leave with Mr Gude, to bring in a Bill "*to amend the Evidence Act 1958 so as to protect from disclosure in legal proceedings confidential communications between the victim or alleged victim of a sexual offence and a medical practitioner or counsellor and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **CRIMES (FAMILY VIOLENCE) (AMENDMENT) BILL** - Mrs Wade obtained leave with Mr Gude, to bring in a Bill "*to amend the Crimes (Family Violence) 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 **PROPERTY LAW (AMENDMENT) BILL** - Mrs Wade obtained leave with Mr Gude, to bring in a Bill "*to amend the Property Law 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.
- 13 **BUILDING (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*) obtained leave with Mr Gude, to bring in a Bill "*to amend the Building Act 1993 and the Docklands Authority 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.
- 14 **PUBLIC PROSECUTIONS (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 **GEOGRAPHIC PLACE NAMES 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 **EDUCATION (TEACHERS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Pursuant to Sessional Orders, Mr Honeywood 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; 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.
- 17 **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. 12 *ante*); debate resumed.
- Business having been interrupted at 10.00 p.m.
pursuant to Sessional Orders.*
- 18 **ADJOURNMENT** - Mr Deputy 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. 9 - Thursday, 19 March 1998

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
- Mortlake Reticulated Sewerage System** - Seeking that the Government - (a) review its contribution to the scheme of providing a reticulated sewerage system to Mortlake in the light of the exceptional geographic, economic and social circumstances of the township; and (b) provide the necessary funds for the scheme imposed on the township, bearing 252 signatures (*by Mr McGrath, Warrnambool*).
- Ordered to lie on the Table.
- 3 **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. 12 *ante*); debate resumed.

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

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

Mr Speaker having left the Chair at 2.32 p.m., resumed it at 2.36 p.m.

5 **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. 12 *ante*).

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

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

6 **ELECTRICITY INDUSTRY (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 Loney*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 2 April 1998.

7 **STATE TRUSTEES (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 Bracks*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 2 April 1998.

8 **TRANSPORT ACTS (AMENDMENT) 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, 2 April 1998.

9 **SEA-CARRIAGE DOCUMENTS 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 April 1998.

10 **EVIDENCE (CONFIDENTIAL COMMUNICATIONS) 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 April 1998.

11 **CRIMES (FAMILY VIOLENCE) (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 April 1998.

-
- 12 **PROPERTY LAW (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 April 1998.
- 13 **BUILDING (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, 2 April 1998.
- 14 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Order read for resuming debate on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 12 *ante*); debate resumed.
Motion made and question - That the debate be now adjourned (*Mr Cunningham*) - put and agreed to.
Ordered - That the debate be adjourned until tomorrow.
- 15 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Reynolds*) - put and agreed to.
- 16 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 5.26 p.m., adjourned until Tuesday, 24 March 1998.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 10, 11 and 12

No. 10 - Tuesday, 24 March 1998

- 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:

Banking Services - Laverton and Altona Meadows - Seeking that the Government gives a commitment to ensure that the people of Laverton and Altona Meadows have access to local banking services, bearing 859 signatures (*by Ms Kosky*)

Public Telephone Facility - East Geelong - Seeking that a new public telephone facility be installed in Martin Street, East Geelong, bearing 23 signatures (*by Mr Loney*).

Severally ordered to lie on the Table.

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:

Interpretation of Legislation Act 1984 - Notice under section 32(4)(a) in relation to Amendment No. 2 of the Building Code of Australia

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

- Alberton Planning Scheme - No. L44
- Alpine Resorts Planning Scheme - No. C1
- Delatite Planning Scheme - No. L12
- Knox Planning Scheme - No. L154
- Milawa Planning Scheme - No. L9 Chapter 2
- Moe Planning Scheme - No. L43
- Stonnington Planning Scheme - No. L32
- Traralgon (City) Planning Scheme - No. L73
- Wonthaggi Planning Scheme - No. L27

Statutory Rules under the following Acts:

- Conservation, Forests and Lands Act 1987 - S.R. No. 21
- Veterinary Practice Act 1997 - S.R. No. 19
- Wildlife Act 1975 - S.R. No. 20

Subordinate Legislation Act 1994 -

- Minister's exemption certificate in relation to Statutory Rule No. 19.

- 5 **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, 26 March 1998:

Summary Offences (Amendment) Bill
 Valuation of Land (Amendment) Bill
 Arts Acts (Statute Law Revision) Bill
 Fire and Emergency Services Acts (Amendment) Bill
 Firearms (Amendment) Bill
 Retail Tenancies Reform Bill

(*Mr Gude*) - put, after debate, and agreed to.

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

- 7 **SUMMARY OFFENCES (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 **VALUATION OF LAND (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 **ARTS ACTS (STATUTE LAW REVISION) 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 Trans-Tasman Mutual Recognition (Victoria) Bill without amendment.

- 11 **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. 12 *ante*); debate resumed.

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

Ordered - That the debate be adjourned until tomorrow.

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

Financial Management (Amendment) Bill
 Tertiary Education (Amendment) Bill.

- 13 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mrs Wade*) - put and agreed to.
- 14 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 10.49 p.m., adjourned until tomorrow.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 11 - Wednesday, 25 March 1998

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Essendon and District Memorial Hospital** - Seeking that the Government immediately halt negotiations related to the sale of the Essendon and District Memorial Hospital until a consultation process is instituted with the residents of the Essendon community and hospital users to keep public health facilities in the Essendon area, bearing 167 signatures (*by Mrs Maddigan*)
- Bone Marrow Donor Registry** - Seeking that the Government reverse the decision to cut funding and staffing levels to the Bone Marrow Donor Registry, bearing 1,875 signatures (*by Mr Andrighetto*).
- Severally ordered to lie on the Table.
- 3 **PETITION - BONE MARROW DONOR REGISTRY** - Motion made and question - That the petition presented by the Member for Narracan relating to the Bone Marrow Donor Registry be taken into consideration tomorrow (*Mr Andrighetto*) - 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. 54 - Victoria's Gaming Industry: An insight into the role of the regulator - Ordered to be printed.
- 5 **ADJOURNMENT MOTION - PORT PHILLIP PRISON** - Mr Haermeyer proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -
- "The arrival of 15 Group 4 Correction Services managers, supervisors and prison officers from Britain, in response to the crisis at Port Phillip Prison and the implications of their arrival for corrections policy and privatisation 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 Haermeyer*) - put, after debate, and negatived.

- 6 **SCHOOL EDUCATION SYSTEM** - Motion made and question proposed - That this House commends the Government and the Minister for Education for revitalising and transforming the school education system, which, having been left neglected and in tatters by the previous Labor Government, is now equipped to deliver students a quality education in a superior learning environment, as a result of numerous reforms and improvements (*Mr Elder*).

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

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

- 8 **CREDIT (AMENDMENT) BILL** - Mrs Wade, pursuant to a motion moved on her behalf by Mrs Tehan, obtained leave with Mr McGrath (*Wimmera*), to bring in a Bill "*to amend the Credit Act 1984 and the Credit (Administration) 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.

- 9 **FIRE AND EMERGENCY SERVICES 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.

- 10 **FIREARMS (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 Government makes a clear and unambiguous statement of support for the existing National Firearms Code; (b) clauses in conflict with the National Firearms Code, including those allowing more semi-automatic weapons in the community and those relating to the 28 day rule are referred to the Australasian Police Ministers' Council; and (c) the Bill is referred to an all party Parliamentary Committee for inquiry consideration and report, where public submissions are invited and public hearings are conducted" (*Mr Haermeyer*) - and, after debate -

*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 11.01 p.m.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 12 - Thursday, 26 March 1998

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

Firearms Act 1996 - Proposed Amendments to - Seeking that the eight proposed amendments to the Firearms Act 1996 be withdrawn from the Firearms (Amendment) Bill, bearing 239 signatures (*by Ms Burke*).

Ordered to lie on the Table.
- 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:

Medical Practitioners Board (incorporating the Report of the Intern Training Accreditation Committee) - Report for the year ended 30 September 1997

Wildlife Act 1975 -

Wildlife (Closure of Areas to Hunting) Notice No. 1 1998
Wildlife (Control of Hunting) Notice No. 1 1998.
- 4 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Public Prosecutions (Amendment) Bill without amendment.
- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 7 April 1998 (*Mr Gude*) - put and agreed to.
- 6 **FIREARMS (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 - (a) the Government makes a clear and unambiguous statement of support for the existing National Firearms Code; (b) clauses in conflict with the National Firearms Code, including those allowing more semi-automatic weapons in the community and those relating to the 28 day rule are referred to the Australasian Police Ministers' Council; and (c) the Bill is referred to an all party Parliamentary Committee for inquiry consideration and report, where public submissions are invited and public hearings are conducted"; debate resumed.

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

The House divided.

AYES, 52

Mr Andrighetto	Mr John	Mr Paterson	Mr Stockdale
Mr Ashley	Mr Lean	Mr Perrin	Mrs Tehan
Mr Clark	Mr Leigh	Mr Perton	Mr Thompson
Mr Coleman	Mr Lupton	Mrs Peulich	Mr Traynor
Ms Davies	Mr McArthur	Mr Phillips	Mr Treasure
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)	Mr Savage	
Mr Gude	Mr McNamara	Mrs Shardey	Tellers
Mrs Henderson	Mr Maclellan	Mr Smith	Ms Burke
Mr Honeywood	(Pakenham)	(Polwarth)	Mr Kilgour
Mr Jasper	Mr Maughan	Mr Spry	Mr Smith
Mr Jenkins	Dr Napthine	Mr Steggall	(Glen Waverley)

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Gillett	Mr Loney	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mr Brumby	Mr Hamilton	Mr Pandazopoulos	Tellers
Mr Carli	Mr Hulls	Mr Robinson	Mr Cameron
Mr Cunningham	Ms Kosky	Mr Seitz	Mr Langdon
Mr Dollis	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, 53

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

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Gillett	Mr Loney	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mr Brumby	Mr Hamilton	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Mr Hulls	Mr Robinson	Mr Cameron
Mr Cunningham	Ms Kosky	Mr Seitz	Mr Langdon
Mr Dollis	Mr Leighton	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.

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

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.

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 of a Retail Tenancies Tribunal which, amongst other things, will report annually to Parliament regarding the number of disputes dealt with, the nature of the disputes dealt with, the outcomes of disputes dealt with and any complaints or anomalies relating to the Act or regulations; and (b) compensation to be paid by a landlord in the event that he fails to comply with a proposed 'right of preference to existing tenants' condition in leases of retail premises" (*Mr Haermeyer*) - and, after debate -

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

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

- 9 **RETAIL TENANCIES REFORM 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 provide for - (a) the establishment of a Retail Tenancies Tribunal which, amongst other things, will report annually to Parliament regarding the number of disputes dealt with, the nature of the disputes dealt with, the outcomes of disputes dealt with and any complaints or anomalies relating to the Act or regulations; and (b) compensation to be paid by a landlord in the event that he fails to comply with a proposed 'right of preference to existing tenants' condition in leases of retail premises".

Allocation of time - Mr Deputy Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of the House on Tuesday, 24 March 1998 had expired.

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

The House divided.

AYES, 53

Mr Andrighetto	Mr John	Mr Paterson	Mr Steggall
Mr Ashley	Mr Lean	Mr Perrin	Mr Stockdale
Mr Clark	Mr Leigh	Mr Pertone	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)	Mr Wells
Mr Dixon	Mr McGrath	Mr Reynolds	
Mr Doyle	(Wimmera)	Mr Richardson	
Mr Elder	Mr McLellan	Mr Rowe	
Mrs Elliott	(Frankston East)	Mr Ryan	
Mr Finn	Mr McNamara	Mr Savage	Tellers
Mr Gude	Mr Maclellan	Mrs Shardey	Ms Burke
Mr Honeywood	(Pakenham)	Mr Smith	Mr Kilgour
Mr Jasper	Mr Maughan	(Polwarth)	Mr Smith
Mr Jenkins	Dr Napthine	Mr Spry	(Glen Waverley)

NOES, 28

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 Mildenhall	
Mr Brumby	Mr Haermeyer	Mr Pandazopoulos	Tellers
Mrs Campbell	Mr Hamilton	Mr Robinson	Mr Cameron
Mr Carli	Mr Hulls	Mr Seitz	Mr Langdon
Mr Cole	Ms Kosky	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.

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.

10 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 3, be postponed until later this day.

11 **CREDIT (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 Hulls*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 9 April 1998.

12 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question proposed - That the consideration of remaining business be postponed (*Mr Gude*) - and, after debate -

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

Question - That the consideration of remaining business be postponed - accordingly put and negatived.

- 13 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 3, be postponed until later this day.
- 14 **STATE GOVERNMENT CORPORATE CREDIT CARDS** - Motion made and question proposed - That this House, noting that various former Queensland Ministers went to jail for using the public purse for their own private purposes, demands that the Premier and former and current members of his staff give a full explanation as to why they have used State Government Corporate Credit cards for private purposes in breach of Government guidelines and in possible breach of the Federal and State Acts (*Mr Hulls*).
- 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 10.44 p.m.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos. 13, 14 and 15

No. 13 - Tuesday, 7 April 1998

- 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:

Natural Gas for Gordon and Mount Egerton - Seeking that natural gas be reticulated throughout Gordon and Mount Egerton, bearing 407 signatures (*by Mr Traynor*).

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. 2 of 1998 on the -

Gaming No. 2 (Amendment) Bill
Health Services (Amendment) Bill
Electricity Safety Bill
Electricity Industry (Amendment) Bill
Sea-Carriage Documents Bill
Crimes (Family Violence) (Amendment) Bill
Evidence (Confidential Communications) Bill
Property Law (Amendment) Bill
State Trustees (Amendment) Bill
Transport Acts (Amendment) Bill
Building (Amendment) Bill
Credit (Amendment) Bill
Drugs, Poisons and Controlled Substances (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:

Financial Management Act 1994 -

Report of the Minister for Health that he had received the Report for the year ended 30 September 1997 from The Dental Board of Victoria and the Specialist Practitioners Qualification Committee

Report of the Minister for Health that he had received the 1996-97 Annual Report of the Edenhope and District Memorial Hospital

Hamilton Base Hospital - Financial Statements for the five months ended 30 November 1996

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

Alberton Planning Scheme - No. L46
 All Planning Schemes - Nos. S72, S73
 Bacchus Marsh Planning Scheme - No. L56
 Ballarat Planning Scheme - Nos. L34, L36
 Boroondara Planning Scheme - No. L37
 Doncaster and Templestowe Planning Scheme - No. L131
 Frankston Planning Scheme - No. L97
 Glen Eira Planning Scheme - No. L22
 Greater Bendigo Planning Scheme - No. L70
 Greater Dandenong Planning Scheme - No. L15
 Greater Geelong Planning Scheme - No. R125
 Maribyrnong Planning Scheme - No. L32
 Melbourne Planning Scheme - Nos. L288, L298, L299, L315, L317
 Melton Planning Scheme - No. L90
 Mitchell Planning Scheme - No. L21
 Moreland Planning Scheme - No. L54
 Mornington Planning Scheme - Nos. L85, L86
 Stonnington Planning Scheme - No. L24
 Tambo Planning Scheme - No. L72
 Victoria Planning Provisions - VC1
 Werribee Planning Scheme - No. L128

Statutory Rules under the following Acts:

Crimes Act 1958 - S.R. No. 33
 Dangerous Goods Act 1985 - S.R. No. 24
 Fisheries Act 1995 - S.R. No. 23
 Gaming No. 2 Act 1997 - S.R. Nos. 25, 26, 27, 28, 29, 30
 Interpretation of Legislation Act 1984 - S.R. No. 33
 Local Government Act 1989 - S.R. No. 32
 Lotteries Gaming and Betting Act 1966 - S.R. No. 31
 Sentencing Act 1991 - S.R. No. 33
 Supreme Court Act 1986 - S.R. No. 33
 Wildlife Act 1975 - S.R. No. 22

Subordinate Legislation Act 1994 -

Minister's exception certificate in relation to Statutory Rule No. 33
 Ministers' exemption certificates in relation to Statutory Rule Nos. 21, 22, 31, 32.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 17 February 1998:

Hire-Purchase (Further Amendment) Act 1997 - Remaining provisions on 1 April 1998
(Gazette No. S23, 31 March 1998)

Land (Reservations and other Matters) Act 1997 - Sections 10, 13 and 14 and Items 10, 13 and 14 of Schedule 1 on 1 April 1998 *(Gazette No. G13, 2 April 1998)*

Rail Corporations (Amendment) Act 1997 - Sections 3, 5, 26, 31, 32 and 38; Divisions 4, 5 and 6 of Part 2; and Part 4 (except sections 40 and 57) on 31 March 1998 (*Gazette No. S23, 31 March 1998*).

- 5 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had, on 31 March 1998, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
 - Financial Management (Amendment) Bill
 - Public Prosecutions (Amendment) Bill
 - Tertiary Education (Amendment) Bill
 - Trans-Tasman Mutual Recognition (Victoria) 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:
 - Building (Amendment) Bill
 - Electricity Industry (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., Thursday, 9 April 1998:
 - Electricity Safety Bill
 - Transport Acts (Amendment) Bill
 - Electricity Industry (Amendment) Bill
 - State Trustees (Amendment) Bill
 - Sea-Carriage Documents Bill
 - Evidence (Confidential Communications) Bill
 - Crimes (Family Violence) (Amendment) Bill
 - Property Law (Amendment) Bill

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

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

- 9 **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, by leave, read a third time forthwith.

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

- 10 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos. 3 and 4, be postponed until later this day.

- 11 **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 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 Arts Acts (Statute Law Revision) Bill without amendment.
- 13 **HEALTH SERVICES (AMENDMENT) BILL** - Mr Acting Speaker announced the receipt of a Message from the Council transmitting a Bill "*to amend the Health Services Act 1998 and the Health Services (Amendment) Act 1997 to provide for increased penalties for certain offences, to amend Schedule 4 to the Magistrates' Court Act 1989 and for other purposes*" and desiring the concurrence of the Assembly therein.
- On the motion of Mr Cooper, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **STATE TRUSTEES (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. 12 *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 11.09 p.m.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 14 - Wednesday, 8 April 1998

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
- Petrol Service Station Rosebud** - Seeking that the Government - (a) reject the proposal by Woolworths Pty Ltd, or any future similar proposal, to construct a petrol service station at 979-991 Point Nepean Road, Rosebud; and (b) in the interests of public health and safety, amend legislation so that petrol service stations or similar businesses cannot be developed in close proximity of schools, kindergartens or childcare centres, bearing 2,408 signatures (*by Mr Dixon*).

Ordered to lie on the Table.

-
- 3 **PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the direction of several Acts of Parliament, were laid upon the Table by the Clerk:
- Auditor-General - Special Report No. 55 - Child Care and Kindergartens: Caring about quality - Ordered to be printed
- Parliamentary Committees Act 1968 -
- Response of the Attorney-General on action taken with respect to the recommendations made by the Public Accounts and Estimates Committee Report on Outstanding Fines and Unexecuted Warrants
- 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 Report on Ballast Water and Hull Fouling in Victoria.
- 4 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL** - Mr Speaker announced the receipt of a Message from the Council transmitting a Bill "*to amend the Drugs, Poisons and Controlled Substances Act 1981 in relation to various matters of licensing, permits, sale and supply and notification and for other purposes*" and desiring the concurrence of the Assembly therein.
- On the motion of Mr Gude, 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.
- 5 **HEALTH ACTS (STATUTE LAW REVISION) BILL** - Mr Speaker announced the receipt of a Message from the Council transmitting a Bill "*to make minor amendments to the Chiropractors Registration Act 1996 and certain other Acts and for other purposes*" and desiring the concurrence of the Assembly therein.
- On the motion of Mr Gude, 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.
- 6 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Education (Teachers) Bill
- Summary Offences (Amendment) Bill.
- 7 **TURNING THE TIDE STRATEGY - ILLICIT DRUGS** - Motion made and question proposed - That this House congratulates the Government for the steps it has taken, through the Turning the Tide strategy, to minimise the harm caused by the use and abuse of illicit drugs in Victoria (*Mrs McGill*) - put, after debate, and agreed to.
- 8 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 9 **PUBLIC SECTOR REFORM (MISCELLANEOUS AMENDMENTS) BILL** - Mr Kennett, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Administrative Arrangements Act 1983, to repeal the Public Authorities (Equal Employment Opportunity) Act 1990 and the Public Sector Management Act 1992 and to provide for consequential and transitional matters arising from the repeal of the Public Sector Management Act 1992 and the enactment of the Public Sector Management and Employment Act 1998 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

-
- 10 **PUBLIC SECTOR MANAGEMENT AND EMPLOYMENT BILL** - Mr Kennett 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.
 - 11 **AGRICULTURE ACTS (AMENDMENT) BILL** - Mr McNamara obtained leave with Mr Gude, to bring in a Bill "*to amend the Agricultural Industry Development Act 1990, the Barley Marketing Act 1993, the Plant Health and Plant Products Act 1995 and the Prevention of Cruelty to Animals 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.
 - 12 **DRIED FRUITS (REPEAL) BILL** - Mr McNamara obtained leave with Mr Gude, to bring in a Bill "*to repeal the Dried Fruits Act 1958, to transfer the property, assets, rights and liabilities of the Victorian Dried Fruits Board to a trust established for the purpose of promoting the development of the dried fruits industry and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
 - 13 **PARKS VICTORIA BILL** - Mrs Tehan obtained leave with Mr McNamara, to bring in a Bill "*to establish Parks Victoria, to amend the Water Industry Act 1994 and certain 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 **EDUCATION (SELF-GOVERNING SCHOOLS) BILL** - Mr Gude, after debate, obtained leave with Mr McNamara, to bring in a Bill "*to amend the Education Act 1958 and the Teaching Service Act 1981 to make further provision for the management and operation of 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.
 - 15 **TRANSPORT ACCIDENT (AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mrs Wade, to bring in a Bill "*to amend the Transport Accident 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.
 - 16 **ST GEORGE BANK AND ADVANCE BANK AUSTRALIA BILL** - Mr Stockdale obtained leave with Mrs Wade, to bring in a Bill "*to facilitate the merger of Advance Bank Australia Limited with the St. George Bank Limited and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
 - 17 **GAS PIPELINES ACCESS (VICTORIA) BILL** - Mr Stockdale, after debate, obtained leave with Mrs Wade, to bring in a Bill "*to make provision for the regulation of third party access to natural gas pipeline systems, to amend the Gas 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.
 - 18 **GAMING ACTS (AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mrs Wade, to bring in a Bill "*to amend the Tattersall Consultations Act 1958, the Gaming Machine Control Act 1991 and the Club Keno 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 **VICTORIAN PLANTATIONS CORPORATION (AMENDMENT) BILL** - Mr Stockdale obtained leave with Mrs Wade, to bring in a Bill "*to amend the Victorian Plantations Corporation Act 1993, 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.

-
- 20 **PRINTERS AND NEWSPAPERS (REPEAL) BILL** - Mrs Wade, after debate, obtained leave with Mr Cooper, to bring in a Bill "*to repeal the **Printers and Newspapers Act 1958**, to amend the **Wrongs 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 **CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (ENFORCEMENT) (AMENDMENT) BILL** - Mrs Wade obtained leave with Mr Cooper, to bring in a Bill "*to amend the **Classification (Publications, Films and Computer Games) (Enforcement) 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.
- 22 **TRIBUNALS AND LICENSING AUTHORITIES (MISCELLANEOUS AMENDMENTS) BILL** - Mrs Wade obtained leave with Mr Cooper, to bring in a Bill "*to amend various Acts as a consequence of the **Victorian Civil and Administrative Tribunal Act 1998** and the **Business Licensing Authority Act 1998**, to repeal the **Administrative Appeals Tribunal Act 1984**, the **Planning Appeals Act 1980** 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.
- 23 **BUSINESS LICENSING AUTHORITY BILL** - Mrs Wade obtained leave with Mr Cooper, to bring in a Bill "*to establish the **Business Licensing Authority** and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 24 **VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL BILL** - Mrs Wade obtained leave with Mr Cooper, to bring in a Bill "*to establish a **Victorian Civil and Administrative Tribunal** and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 25 **NATIONAL PARKS (AMENDMENT) BILL** - Mrs Tehan obtained leave with Mrs Wade, to bring in a Bill "*to amend the **National Parks Act 1975** and 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.
- 26 **HERITAGE RIVERS (AMENDMENT) BILL** - Mrs Tehan obtained leave with Mrs Wade, to bring in a Bill "*to amend the **Heritage Rivers 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.
- 27 **LAND (REVOCATION OF RESERVATIONS) BILL** - Mrs Tehan obtained leave with Mrs Wade, to bring in a Bill "*to provide for the revocation of reservations over certain areas of land, including land at Bairnsdale, and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 28 **ROAD SAFETY (AMENDMENT) BILL** - Mr Cooper obtained leave with Mr Maclellan (*Pakenham*), to bring in a Bill "*to amend the **Road Safety Act 1986** and 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.
- 29 **ROAD SAFETY (DRIVING INSTRUCTORS) BILL** - Mr Cooper obtained leave with Mr Maclellan (*Pakenham*), to bring in a Bill "*to amend the **Road Safety Act 1986** to provide a scheme for the compulsory registration of driving instructors and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

30 **LOCAL GOVERNMENT (DAREBIN CITY COUNCIL) BILL** - Mr Maclellan (*Pakenham*), after debate, obtained leave with Mr Cooper, to bring in a Bill "to dismiss the Darebin City Council and set a date for a general election for that Council and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

31 **SEA-CARRIAGE DOCUMENTS 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 the issues and delays arising from the conspiratorial acts, lockouts and mass sackings organised by the Federal and State Governments and Patrick Stevedores on the Melbourne Waterfront are resolved" (*Mr Hulls*) - 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 Paterson	Mr Steggall
Mr Ashley	Mr Lean	Mr Perrin	Mr Stockdale
Mr Clark	Mr Leigh	Mr Perton	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	(<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	Mr Savage	<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, 28

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

- 32 **EVIDENCE (CONFIDENTIAL COMMUNICATIONS) 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 mechanisms to control the subpoenaing of victim's files in sexual assault criminal trials and suitable provisions concerning judicial discretion are thoroughly investigated" (*Mr Hulls*).

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

Ordered - That the debate be adjourned until tomorrow.

- 33 **ELECTRICITY SAFETY 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.

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.

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 Municipal Association of Victoria's concerns regarding new provisions relating to the enforcement of power line clearance, which carry severe financial penalties on councils, have been subjected to further review to - (a) determine responsibility issues around who is creating the fire risk; and (b) place an onus on distribution companies to minimise the risk which they create by undergrounding cables wherever practicable, or at least by bundling them" (*Mr Loney*).

*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 10.54 p.m.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 15 - Thursday, 9 April 1998

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Marine and Coastal Special Investigation Final Report** - Seeking that the Minister for Conservation and Land Management releases immediately the final report of the Marine and Coastal Special Investigation by the Land Conservation Council, bearing 29 signatures (*by Ms Garbutt*)
 - Murtoa Grain Store** - Seeking that the Murtoa Grain Store, also known as the "Stick Shed" be restored for invaluable use as a unique tourist attraction in the Wimmera for all people to enjoy, bearing 145 signatures (*by Mr Kilgour*).
 Severally 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:
 - Interpretation of Legislation Act 1984 - Notice under section 32(3)(a)(iii) in relation to Statutory Rule No. 12/1998.
- 4 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
 - Geographic Place Names Bill
 - Valuation of Land (Amendment) Bill.
- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 21 April 1998 (*Mrs Wade*) - put and agreed to.
- 6 **CRIMES (FAMILY VIOLENCE) (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.
- 7 **PROPERTY LAW (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 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos. 3 and 4, be postponed until later this day.
- 9 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (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 Tuesday, 21 April 1998.

-
- 10 **HEALTH ACTS (STATUTE LAW REVISION) 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 Tuesday, 21 April 1998.
- 11 **AGRICULTURE ACTS (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 (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 23 April 1998.
- 12 **DRIED FRUITS (REPEAL) 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 (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 23 April 1998.
- 13 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 9 be postponed until later this day.
- 14 **EDUCATION (SELF-GOVERNING 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, 30 April 1998.
- 15 **TRANSPORT ACCIDENT (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 word "two" be omitted with the view of inserting in place thereof the word "four" (*Mr Bracks*) - 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 Lean	Mr Perrin	Mr Stockdale
Mr Ashley	Mr Leigh	Mr Perton	Mrs Tehan
Mr Clark	Mr Lupton	Mrs Peulich	Mr Thompson
Mr Coleman	Mr McArthur	Mr Phillips	Mr Traynor
Mr Cooper	Ms McCall	Mr Plowman	Mrs Wade
Dr Dean	Mrs McGill	(Benambra)	Mr Wells
Mr Dixon	Mr McLellan	Mr Rowe	
Mr Doyle	(Frankston East)	Mr Ryan	
Mr Elder	Mr McNamara	Mr Savage	
Mrs Elliott	Mr Maclellan	Mrs Shardey	Tellers
Mr Finn	(Pakenham)	Mr Smith	Ms Burke
Mr Gude	Mr Maughan	(Polwarth)	Mr Kilgour
Mr Jasper	Dr Napthine	Mr Spry	Mr Smith
Mr Jenkins	Mr Paterson	Mr Steggall	(Glen Waverley)

NOES, 25

Mr Andrianopoulos	Ms Davies	Mr Loney	Mrs Wilson
Mr Baker	Mr Dollis	Mr Micallef	
Mr Bracks	Ms Garbutt	Mr Mildenhall	
Mr Brumby	Mr Haermeyer	Mr Pandazopoulos	Tellers
Mrs Campbell	Mr Hulls	Mr Robinson	Mr Cameron
Mr Carli	Mr Leighton	Mr Seitz	Mr Langdon
Mr Cunningham	Mr Lim	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 23 April 1998.

- 16 **ST GEORGE BANK AND ADVANCE BANK AUSTRALIA 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 April 1998.

- 17 **GAS PIPELINES ACCESS (VICTORIA) 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 Loney*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 23 April 1998.

- 18 **GAMING 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 Hulls*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 23 April 1998.

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

-
- 20 **VICTORIAN PLANTATIONS CORPORATION (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, 23 April 1998.
- 21 **PRINTERS AND NEWSPAPERS (REPEAL) 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 April 1998.
- 22 **CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (ENFORCEMENT) (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, 23 April 1998.
- 23 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 18 be postponed until later this day.
- 24 **BUSINESS LICENSING AUTHORITY 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 April 1998.
- 25 **VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL 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 April 1998.
- 26 **TRIBUNALS AND LICENSING AUTHORITIES (MISCELLANEOUS AMENDMENTS) 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 April 1998.
- 27 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 21 be postponed until later this day.
- 28 **HERITAGE RIVERS (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, 23 April 1998.

- 29 **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, 23 April 1998.
- 30 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 24 be postponed until later this day.
- 31 **ROAD SAFETY (DRIVING INSTRUCTORS) 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, 23 April 1998.
- 32 **LOCAL GOVERNMENT (DAREBIN CITY COUNCIL) 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, 23 April 1998.
- 33 **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 (*Mr Loney*) - put and agreed to.
- Ordered - That the debate be adjourned until Tuesday, 21 April 1998.
- 34 **EVIDENCE (CONFIDENTIAL COMMUNICATIONS) 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 mechanisms to control the subpoenaing of victim's files in sexual assault criminal trials and suitable provisions concerning judicial discretion are thoroughly investigated".
- Motion made and question - That the debate be now adjourned (*Mr Cooper*) - put and agreed to.
- Ordered - That the debate be adjourned until later this day.
- 35 **ELECTRICITY SAFETY 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 Municipal Association of Victoria's concerns regarding new provisions relating to the enforcement of power line clearance, which carry severe financial penalties on councils, have been subjected to further review to - (a) determine responsibility issues around who is creating the fire risk; and (b) place an onus on distribution companies to minimise the risk which they create by undergrounding cables wherever practicable, or at least by bundling them"; 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, 7 April 1998 had expired.*
- Question - That the words proposed to be omitted stand part of the question - put.

The House divided.

AYES, 48

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

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Loney	
Mr Batchelor	Ms Garbutt	Mr Micallef	
Mr Bracks	Ms Gillett	Mr Mildenhall	
Mr Brumby	Mr Haermeyer	Mr Pandazopoulos	
Mrs Campbell	Mr Hulls	Mr Robinson	Tellers
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.

Question - That this Bill be now read a second time, Government amendments Nos. 1 to 21 inclusive be agreed to, the Bill be read a third time and the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 36 **EVIDENCE (CONFIDENTIAL COMMUNICATIONS) 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 mechanisms to control the subpoenaing of victim's files in sexual assault criminal trials and suitable provisions concerning judicial discretion are thoroughly investigated".

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

The House divided.

AYES, 48

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

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Loney	
Mr Batchelor	Ms Garbutt	Mr Micallef	
Mr Bracks	Ms Gillett	Mr Mildenhall	
Mr Brumby	Mr Haermeyer	Mr Pandazopoulos	
Mrs Campbell	Mr Hulls	Mr Robinson	Tellers
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.

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.

- 37 **ROAD SAFETY (AMENDMENT) BILL** - Order read for this Bill to be now read a second time.
Motion made and question proposed - That the second reading of this Bill be postponed until later this day (*Mr Cooper*) - put and agreed to.
- 38 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 39 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 5.20 p.m., adjourned until Tuesday, 21 April 1998.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos. 16, 17 and 18

No. 16 - Tuesday, 21 April 1998

- 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:

Bingo Centre Employees - Seeking that the House amend the Gaming No. 2 Act 1997 so that volunteer persons performing at bingo centres will not be required to be licensed bingo employees, bearing 276 signatures (*by Mr John*)

Sale - Roundabout at Intersection - Seeking that the work carried out by Vic Roads some years ago be carefully reviewed with a view to replacing the current dangerous and potential 'black spot' intersection of Maffra Road and Dawson Street, Sale and the Princes Highway with a roundabout, bearing 1,015 signatures (*by Mr Ryan*)

Berry Street Home - Traralgon - Seeking that the transfer of the Berry Street Home from Traralgon to Chestnut Avenue, Morwell be prevented, bearing 895 signatures (*by Mr Andrighetto*).

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 1998 on the -

Land (Revocation of Reservations) Bill
Transport Accident (Amendment) Bill
Victorian Plantations Corporation (Amendment) Bill
Local Government (Darebin City Council) Bill
Road Safety (Driving Instructors) Bill
Heritage Rivers (Amendment) Bill
Victorian Civil Administrative Tribunal Bill
Business Licensing Authority Bill
Tribunals and Licensing Authorities (Miscellaneous Amendments) Bill
Classification (Publications, Films and Computer Games) (Enforcement) (Amendment) Bill
Dried Fruits (Repeal) Bill
St George Bank and Advance Bank Australia Bill
Gas Pipelines Access (Victoria) Bill
Printers and Newspapers (Repeal) Bill
Education (Self-Governing Schools) Bill

Agriculture Acts (Amendment) Bill
Gaming 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:

- Ballarat School of Mines and Industries Limited - Report for the year 1997
- Barton Institute of TAFE - Report for the year 1997
- Bendigo Regional Institute of TAFE - Report for the year 1997 (two papers)
- Box Hill Institute of TAFE - Report for the year 1997
- Casey Institute of TAFE - Report for the year 1997
- Central Gippsland Institute of TAFE - Report for the year 1997 (two papers)
- Eastern Institute of TAFE - Report for the year 1997
- East Gippsland Institute of TAFE - Report for the year 1997
- 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 - Report from the Minister for Health that he had received the 1997 Annual Report of the Chiropodists Registration Board of Victoria
- Gordon Institute of TAFE - Report for the year 1997
- Goulburn Ovens Institute of TAFE - Report for the year 1997
- Holmesglen Institute of TAFE - Report for the year 1997
- Kangan *Batman* Institute of TAFE - Report for the year 1997
- Melbourne Institute of Textiles - Report for the year 1997
- Northern Melbourne Institute of TAFE - Report for the year 1997
- Parliamentary Committees Act 1968 - Response of the Premier on action taken with respect to the recommendations made by the Federal-State Relations Committee's First Report on International Treaty Making and the Role of the States
- Peninsula Institute of TAFE - Report for the year 1997
- Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
 - All Planning Schemes - No. SRL7
 - Bayside Planning Schemes - No. L10
 - Darebin Planning Scheme - No. L56
 - Greater Geelong Planning Scheme - Nos. R205, R216
 - Knox Planning Scheme - No. L157
 - Melbourne Planning Scheme - No. L234
 - Monash Planning Scheme - No. L39
 - Wodonga Rural City Planning Scheme - Nos. L7 Part 2, L20
 - Yarra Planning Scheme - No. L66
 - Yarra Ranges Planning Scheme - No. L92
- South West Institute of TAFE - Report for the year 1997 (two papers)

Statutory Rules under the following Acts:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 - S.R. No. 38
 County Court Act 1958 - S.R. Nos. 36, 37
 Road Safety Act 1986 - S.R. Nos. 34, 35
 Road Transport (Dangerous Goods) Act 1995 - S.R. No. 40
 Subordinate Legislation Act 1994 - S.R. No. 39

Subordinate Legislation Act 1994 -

Minister's exception certificates in relation to Statutory Rule Nos. 36, 37, 39
 Ministers' exemption certificates in relation to Statutory Rule Nos. 38, 40

Sunraysia Institute of TAFE - Report for the year 1997

Western Melbourne Institute of TAFE - Report for the year 1997

William Angliss Institute of TAFE - Report for the year 1997 (two papers)

Wimmera Institute of TAFE - Report for the year 1997

Wodonga Institute of TAFE - Report for the year 1997.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 17 February 1998:

Gaming Acts (Miscellaneous Amendment) Act 1997 - Sections 22, 23, 34(1) and 34(2) on 7 April 1998 (*Gazette No. S28, 7 April 1998*)

Local Government (Amendment) Act 1996 - Section 13 on 20 April 1998 (*Gazette No. G14, 9 April 1998*)

Road Transport (Dangerous Goods) Act 1995 - Remaining provisions on 7 April 1998 (*Gazette No. S28, 7 April 1998*).

- 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:

Arts Acts (Statute Law Revision) Bill
 Education (Teachers) Bill
 Geographic Place Names Bill
 Summary Offences (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:

Business Licensing Authority Bill
 Classification (Publications, Films and Computer Games) (Enforcement) (Amendment) Bill
 Dried Fruits (Repeal) Bill
 Education (Self-Governing Schools) Bill
 Gas Pipelines Access (Victoria) Bill
 Land (Revocation of Reservations) Bill
 St George Bank and Advance Bank Australia Bill
 Tribunals and Licensing Authorities (Miscellaneous Amendments) Bill
 Victorian Civil and Administrative Tribunal Bill
 Victorian Plantations Corporation (Amendment) Bill.

- 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 (1998/99) Bill, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 1998/99.

Estimates ordered to lie on the Table.

- 8 **APPROPRIATION (1998/99) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "for the appropriation of certain sums out of the Consolidated Fund in respect of the financial year 1998/99 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.

- 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 (Parliament 1998/99) Bill, and accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 1998/99.

Estimates ordered to lie on the Table.

- 10 **APPROPRIATION (PARLIAMENT 1998/99) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 1998/99 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 Batchelor*) - put and agreed to.

Ordered - That the debate be adjourned until tomorrow.

- 11 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3) -

(a) the Address-in-Reply to the Governor's Speech; and

(b) the Orders of the Day, Government Business, relating to the following bills -

Drugs, Poisons and Controlled Substances (Amendment) Bill

Health Acts (Statute Law Revision) Bill

Health Services (Amendment) Bill

Building (Amendment) Bill

Credit (Amendment) Bill

be considered and completed by 4.00 p.m., Thursday, 23 April 1998.

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

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

- 13 **HEALTH ACTS (STATUTE LAW REVISION) 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.

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

- 15 **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 and, by leave, read a third time forthwith.

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

- 16 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos. 5 and 6, be postponed until later this day.

- 17 **PARKS VICTORIA 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 Tuesday, 5 May 1998.

- 18 **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 Tuesday, 5 May 1998.

- 19 **ROAD SAFETY (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 Hulls*) - put and agreed to.

Ordered - That the debate be adjourned until Tuesday, 5 May 1998.

- 20 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Fire and Emergency Services Acts (Amendment) Bill without amendment.

- 21 **GAMING No. 2 (AMENDMENT) BILL** - Mr Deputy Speaker announced the receipt of a Message from the Council transmitting a Bill "*to amend the Gaming No. 2 Act 1997 and for other purposes*" and desiring the concurrence of the Assembly therein.

On the motion of Mr Reynolds, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 22 **CREDIT (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.

- 23 **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. 12 *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. 12 *ante*).

Question - put, and Address agreed to.

Ordered - That the said Address be presented to His Excellency the Governor by Mr Speaker and the Members of the House.

- 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 10.51 p.m., adjourned until tomorrow.

P. J. MITHEN

Clerk of the Legislative Assembly

S. J. PLOWMAN

Speaker

No. 17 - Wednesday, 22 April 1998

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

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

Firearms (Amendment) Bill - Seeking that the Firearms (Amendment) Bill not be enacted, bearing 29 signatures (*by Mr Robinson*)

School Nursing Program Funding - Seeking that the Minister for Youth and Community Services guarantees the retention of, at least, existing funding for the school nursing program, bearing 255 signatures (*by Mrs Campbell*).

Severally ordered to lie on the Table.

- 3 **PETITION - SCHOOL NURSING PROGRAM FUNDING** - Motion made and question - That the petition presented by the Member for Pascoe Vale relating to the school nursing program funding be taken into consideration tomorrow (*Mrs Campbell*) - 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:
 Financial Management Act 1994 - Budget Paper No. 3 1998-99
- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Firearms (Amendment) Bill with amendments.
 Ordered - That the said amendments be printed and taken into consideration tomorrow.
- 6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Retail Tenancies Reform Bill without amendment.
- 7 **GRIEVANCES** - Question - That grievances be noted - put, after debate, and agreed to.
- 8 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 9 **AMBULANCE SERVICES (AMENDMENT) BILL** - Dr Napthine obtained leave with Mr Gude, to bring in a Bill "*to amend the Ambulance Services Act 1986 to make further provision for ambulance services, to abolish the Victorian Ambulance Board and the Ambulance Officers Training Centre 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.
- 10 **PHYSIOTHERAPISTS REGISTRATION BILL** - Dr Napthine obtained leave with Mr Gude, to bring in a Bill "*to make further provision for the registration of physiotherapists and investigations into the professional conduct and fitness to practise of registered physiotherapists, to regulate the advertising of physiotherapy services, to establish a new Physiotherapists Registration Board of Victoria and a Physiotherapists Registration Board Fund, to repeal the Physiotherapists Act 1978 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 (OMNIBUS NO. 1) BILL** - Mrs Wade obtained leave with Mr Gude, to bring in a Bill "*to amend the Audit Act 1994, the Children and Young Persons Act 1989, the Confiscation Act 1997, the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997, the Gaming Machine Control Act 1991, the Gaming No. 2 Act 1997, the Magistrates' Court Act 1989, the Port Services Act 1995, the Public Sector Superannuation (Administration) Act 1993 and the Wills Act 1997 and to amend or repeal 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.

- 12 **GAS INDUSTRY (AMENDMENT) BILL** - Mr Stockdale obtained leave with Mr Kennett, to bring in a Bill "*to amend the Gas Industry Act 1994, the Electricity Industry Act 1993 and the Electricity Industry (Further Miscellaneous Amendment) 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.
- 13 **LAND TAX (AMENDMENT) BILL** - Mr Stockdale obtained leave with Mr Kennett, to bring in a Bill "*to amend the Land Tax Act 1958 to introduce a principal place of residence exemption, to repeal the Land Tax (Revision) 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.
- 14 **RAIL CORPORATIONS (AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr Cooper, to bring in a Bill "*to amend the Rail Corporations Act 1996 and the Transport 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.
- 15 **STATE TAXATION (AMENDMENT) BILL** - Mr Stockdale obtained leave with Mr Kennett, to bring in a Bill "*to amend the Debits Tax Act 1990, the Financial Institutions Duty Act 1982, the Pay-roll Tax Act 1971, the Racing Act 1958, the Stamps Act 1958, the Taxation Administration Act 1997 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.
- 16 **MELBOURNE AND OLYMPIC PARKS (AMENDMENT) BILL** - Mrs Tehan obtained leave with Mr Gude, to bring in a Bill "*to amend the Melbourne and Olympic Parks Act 1985 to provide for the revocation of reservations of certain lands and the re-reservation of those lands and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 **LOCAL GOVERNMENT (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*), pursuant to a motion moved on his behalf by Mr Gude, obtained leave with Mr Kennett, 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.
- 18 **MELBOURNE CITY LINK (EXHIBITION STREET EXTENSION) BILL** - Mr Maclellan (*Pakenham*), 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 City Link Act 1995, to provide for the ratification of agreements with respect to the Melbourne City Link Project and the Exhibition Street Extension Project and to make further provision for the operation of the Exhibition Street Extension Project road, to amend the Melbourne City Link Authority Act 1994 to make further provision with respect to the powers and functions of the Melbourne City Link Authority, 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.
- 19 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 1, be postponed until later this day.
- 20 **APPROPRIATION (1998/99) 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 (*Mrs Henderson*) - 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 Reynolds*) - put and agreed to.

Ordered - That the debate be adjourned until tomorrow.

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

Transport Acts (Amendment) Bill
Electricity Industry (Amendment) Bill
State Trustees (Amendment) Bill.

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

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

And the House having continued to sit after 12 midnight -

THURSDAY, 23 APRIL 1998

Question - put and agreed to.

And the House, at 12.39 a.m. adjourned until later this day.

P. J. MITHEN

Clerk of the Legislative Assembly

S. J. PLOWMAN

Speaker

No. 18 - Thursday, 23 April 1998

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

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

Public Housing Rental Increases - Seeking that the Minister for Housing not endorse public housing rental increases that exceed 20% of household income, bearing 372 signatures (*by Mr Bracks*)

Public Housing Rent Increase Reversal - Seeking that - (a) the increase in rent to 23% and 25% of household income, payable to the Office of Housing, be reversed by the April State Budget; and (b) the Ministry of Housing rents revert to less than 20% of household income, bearing 385 signatures (*by Mr Bracks*).

Severally 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:
Melbourne City Link Act 1995 - Order pursuant to section 8(4) increasing the Project Area.
- 4 **PUBLIC SECTOR REFORM (MISCELLANEOUS AMENDMENTS) 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, 7 May 1998.
- 5 **PUBLIC SECTOR MANAGEMENT AND EMPLOYMENT 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 word "two" be omitted with the view of inserting in place thereof the word "four" (*Mr Bracks*) - and, after debate -
Question - That the word proposed to be omitted stand part of the question - put.
The House divided.

AYES, 44

Mr Andrighetto	Mr Leigh	Mr Perrin	Mr Thompson
Mr Ashley	Mr Lupton	Mr Perton	Mr Traynor
Mr Clark	Mr McArthur	Mr Phillips	Mr Treasure
Mr Coleman	Ms McCall	Mr Plowman	Mr Wells
Dr Dean	Mrs McGill	(<i>Benambra</i>)	
Mr Dixon	Mr McGrath	Mr Richardson	
Mr Doyle	(<i>Wimmera</i>)	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
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>)	Ms Burke
Mr Jenkins	Mr Maughan	Mr Spry	Mr Kilgour
Mr John	Dr Napthine	Mr Steggall	Mr Smith
Mr Lean	Mr Paterson	Mr Stockdale	(<i>Glen Waverley</i>)

NOES, 24

Mr Baker	Mr Dollis	Mr Leighton	
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Mildenhall	
Mr Brumby	Mr Haermeyer	Mr Pandazopoulos	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Savage	Ms Davies
Mr Carli	Mr Hulls	Mr Thwaites	Mr Langdon
Mr Cunningham	Ms Kosky	Mrs Wilson	Mr Robinson

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 7 May 1998.

- 6 **AMBULANCE SERVICES (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, 7 May 1998.
- 7 **PHYSIOTHERAPISTS 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 (*Mr Thwaites*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 7 May 1998.
- 8 **MISCELLANEOUS ACTS (OMNIBUS NO. 1) 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 Hulls*) - put and agreed to.
 Motion made and question proposed - That the debate be adjourned for two weeks (*Mr McGrath, Wimmera*).
 Amendment proposed - That the word "weeks" be omitted with the view of inserting in place thereof the word "months" (*Mr Hulls*) - and, after debate -
 Question - That the word proposed to be omitted stand part of the question - put.
 The House divided.

AYES, 50

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

NOES, 26

Mr Batchelor	Ms Gillett	Mr Loney	Mr Thwaites
Mr Bracks	Mr Haermeyer	Mr Micallef	Mrs Wilson
Mrs Campbell	Mr Hamilton	Mr Mildenhall	
Mr Carli	Mr Hulls	Mr Pandazopoulos	<i>Tellers</i>
Mr Cunningham	Ms Kosky	Mr Robinson	Ms Davies
Mr Dollis	Mr Leighton	Mr Savage	Mr Langdon
Ms Garbutt	Mr Lim	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 7 May 1998.

- 9 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 6, be postponed until later this day.
- 10 **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, 7 May 1998.
- 11 **RAIL CORPORATIONS (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 (*Mrs Maddigan*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 7 May 1998.
- 12 **STATE TAXATION (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, 7 May 1998.
- 13 **MELBOURNE AND OLYMPIC PARKS (AMENDMENT) 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 (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 7 May 1998.
- 14 **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, 7 May 1998.
- 15 **MELBOURNE CITY LINK (EXHIBITION STREET EXTENSION) 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 (*Mrs Campbell*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 7 May 1998.

- 16 **GAMING NO. 2 (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, 7 May 1998.

- 17 **FIREARMS (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.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

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

- 19 **GAS INDUSTRY (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 (*Mr Loney*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 7 May 1998.

- 20 **APPROPRIATION (1998/99) 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.*

- 21 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.44 p.m.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos. 19, 20, 21 and 22

No. 19 - Tuesday, 28 April 1998

- 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:

Berwick Primary School - Seeking that the relocation of Berwick Primary School be supported, bearing 520 signatures (*by Dr Dean*)

Public Housing Rent Increase Reversal - Seeking that - (a) the increase in rent to 23% and 25% of household income, payable to the Office of Housing, be reversed by the April State Budget; and (b) the Ministry of Housing rents revert to less than 20% of household income, bearing 27 signatures (*by Mrs Maddigan*)

Helimed 1 Air Ambulance - Seeking that - (a) the House give full support to the long term retention, with long term funding, to the services of Helimed 1 (Air Ambulance) to the Gippsland and Latrobe Valley areas; and (b) the Helimed 1 service continue to be based in the Latrobe Valley, bearing 7,316 signatures (*by Mr Ryan*).

Severally ordered to lie on the Table.

- 4 **PETITION - HELIMED 1 AIR AMBULANCE** - Motion made and question - That the petition presented by the Member for Gippsland South relating to the Helimed 1 Air Ambulance be taken into consideration tomorrow (*Mr Ryan*) - put and agreed to.
- 5 **PAPERS** -

FEDERAL-STATE RELATIONS COMMITTEE - Motion made, by leave, and question - That there be presented to this House - (a) the Federal-State Relations Committee's Comments to the Commonwealth Joint Standing Committee on Treaties on the Subject of Their Inquiries Into the Multilateral Agreement on Investment; (b) a copy of the Multilateral Agreement on Investment Negotiating Text (as of 14 February 1998); and (c) a copy of the Commentary to the MAI Negotiating Text (as of 14 February 1998) (*Mr John*) - put and agreed to.

The said papers were presented by Mr John 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 Appointment of Independent Auditors to Conduct Financial and Performance Audits 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:

Council of Adult Education - Report for the year 1997

Financial Management Act 1994 - Report from the Minister for Tertiary Education and Training that he had received the 1997 Annual Report of the Driver Education Centre of Australia Ltd. (DECA)

La Trobe University - Report for the year 1997

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:

Third Amending Deed (dated 22 April 1998)

Fourth Amending Deed (dated 22 April 1998)

Agreement for the Exhibition Street Extension Project (dated 22 April 1998)

Agreement for Integrating and Facilitating The Project and Exhibition Street Extension Project (dated 22 April 1998)

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

Berwick Planning Scheme - Nos. L115, L116

Brimbank Planning Scheme - Nos. L36, L42, L50, L52

Campaspe Planning Scheme - No. L3

Flinders Planning Scheme - No. L172

Glen Eira Planning Scheme - No. L20

Greater Geelong Planning Scheme - Nos. R206, R210

Hastings Planning Scheme - No. L118

Knox Planning Scheme - Nos. L153, L162

Maffra Planning Scheme - Nos. L32, L33

Melbourne Planning Scheme - No. L316

Melton Planning Scheme - Nos. L80, L86

Mitchell Planning Scheme - No. L20

Monash Planning Scheme - No. L25, L32 Part 2

Pakenham Planning Scheme - No. L148

Shepparton Shire Planning Scheme - No. L82

Sherbrooke Planning Scheme - No. L107

Surf Coast Planning Scheme - No. R42 Part 1

Werribee Planning Scheme - No. L127

Whittlesea Planning Scheme - No. L159

Statutory Rule under the Freedom of Information Act 1982 - S.R. No. 41

Victoria University - Report for the year 1997 (two volumes).

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 17 February 1998:

Health Services (St Andrew's Hospital) Act 1997 - Section 3 on 7 May 1998 (*Gazette No. G16, 23 April 1998*)

St Andrew's Foundation Act 1997 - Sections 5 and 6 on 23 April 1998 (*Gazette No. G16, 23 April 1998*).

- 6 **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:

Drugs, Poisons and Controlled Substances (Amendment) Bill
Electricity Industry (Amendment) Bill
Fire and Emergency Services Acts (Amendment) Bill
Health Acts (Statute Law Revision) Bill
Health Services (Amendment) Bill
Retail Tenancies Reform Bill
State Trustees (Amendment) Bill
Transport Acts (Amendment) Bill
Valuation of Land (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 10.00 p.m., Friday, 1 May 1998:

Appropriation (1998/99) Bill
Appropriation (Parliament 1998/99) Bill
Agriculture Acts (Amendment) Bill
Dried Fruits (Repeal) Bill
Transport Accident (Amendment) Bill
St George Bank and Advance Bank Australia Bill
Gas Pipelines Access (Victoria) Bill
Gaming Acts (Amendment) Bill
Victorian Plantations Corporation (Amendment) Bill
Heritage Rivers (Amendment) Bill
Local Government (Darebin City Council) Bill
Education (Self-Governing Schools) Bill

(Mr McGrath, Wimmera) - put and agreed to.

- 8 **CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL** - Mrs Tehan obtained leave with Mr Cooper, to bring in a Bill "*to amend the Catchment and Land Protection Act 1994 and the Water 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 **APPROPRIATION (1998/99) 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.

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

Ordered - That the debate be adjourned until tomorrow.

- 10 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Sea-Carriage Documents Bill
 - Crimes (Family Violence) (Amendment) Bill
 - Property Law (Amendment) Bill
 - Credit (Amendment) Bill
 - Building (Amendment) Bill.
- 11 **APPROPRIATION (PARLIAMENT 1998/99) 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 after 12 midnight -
WEDNESDAY, 29 APRIL 1998
- 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 REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 13 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 1.06 a.m., adjourned until later this day.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 20 - Wednesday, 29 April 1998

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
- Helimed 1 Air Ambulance** - Seeking that - (a) the House give full support to the long term retention, with long term funding, to the services of Helimed 1 (Air Ambulance) to the Gippsland and Latrobe Valley areas; and (b) the Helimed 1 service continue to be based in the Latrobe Valley, bearing 7,001 signatures (*by Mr Treasure*).
- 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:
- Crown Land (Reserves) Act 1978 - Section 17DA Order granting, under Section 17D, a lease over part of the Barwon Heads Public Park Reserve.

- 4 **METROPOLITAN AMBULANCE SERVICE** - Motion made and question proposed - That this House condemns the Government for allowing mismanagement and corruption to occur in the Metropolitan Ambulance Service and in particular - (a) the mismanagement, negligence and breach of Ministerial duty by the former Minister for Health in relation to the awarding of ambulance contracts by the Metropolitan Ambulance Service; (b) attempting to cover-up the mismanagement or corruption in the ambulance service; (c) failing to give any proper explanation about the Ministerial Briefing Note dated 19 February 1996 which warned the former Minister for Health about improper practice in the ambulance service; and (d) allowing ministerial staff, and in particular the former Minister for Health's Chief of Staff, Mr John Kerr, to act improperly in relation to documents concerning the ambulance service contracts (*Mr Thwaites*) - 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 **CONCURRENT DEBATE - BUSINESS LICENSING AUTHORITY BILL, VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL BILL AND TRIBUNALS AND LICENSING AUTHORITIES (MISCELLANEOUS AMENDMENTS) BILL** - Motion made and question - That this House authorizes and requires Mr Speaker to permit the second reading and subsequent stages of the Business Licensing Authority Bill, Victorian Civil and Administrative Tribunal Bill and the Tribunals and Licensing Authorities (Miscellaneous Amendments) Bill to be moved and debated concurrently (*Mrs Wade*) - put and agreed to.
- 7 **FUNDRAISING APPEALS BILL** - Mrs Wade obtained leave with Mr Stockdale, to bring in a Bill "*to regulate fundraising appeals, to repeal the Fundraising Appeals 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.
- 8 **INTERNATIONAL TRANSFER OF PRISONERS (VICTORIA) BILL** - Mr McGrath (*Wimmera*) obtained leave with Mr Reynolds, to bring in a Bill "*relating to the transfer of prisoners to and from Australia*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **PUBLIC CORRECTIONAL SERVICES AUTHORITY BILL** - Mr McGrath (*Wimmera*), after debate, obtained leave with Mr Reynolds, to bring in a Bill "*to establish the Public Correctional Services Authority and to amend the Corrections Act 1986 and the Borrowing and Investment 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.
- 10 **CATCHMENT AND LAND 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 Wednesday, 13 May 1998.
- 11 **TRANSPORT ACCIDENT (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 John	Dr Napthine	Mr Thompson
Mr Ashley	Mr Kennett	Mr Paterson	Mr Traynor
Mr Clark	Mr Lean	Mr Perrin	Mr Treasure
Mr Coleman	Mr Leigh	Mr Perton	Mrs Wade
Mr Cooper	Mr Lupton	Mrs Peulich	Mr Wells
Dr Dean	Mr McArthur	Mr Phillips	
Mr Dixon	Ms McCall	Mr Plowman	
Mr Doyle	Mrs McGill	(Benambra)	
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(Wimmera)	Mr Rowe	
Mr Finn	Mr McLellan	Mr Ryan	
Mr Gude	(Frankston East)	Mrs Shardey	Tellers
Mrs Henderson	Mr McNamara	Mr Spry	Ms Burke
Mr Honeywood	Mr Maclellan	Mr Steggall	Mr Kilgour
Mr Jasper	(Pakenham)	Mr Stockdale	Mr Smith
Mr Jenkins	Mr Maughan	Mrs Tehan	(Glen Waverley)

NOES, 28

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 Carli	Mr Hamilton	Mr Pandazopoulos	Tellers
Mr Cole	Mr Hulls	Mr Robinson	Mr Cameron
Mr Cunningham	Ms Kosky	Mr Savage	Mr Langdon
Ms Davies	Mr Leighton	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 **ST GEORGE BANK AND ADVANCE BANK AUSTRALIA 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.

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 **GAS PIPELINES ACCESS (VICTORIA) 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 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.

- 14 **VICTORIAN PLANTATIONS CORPORATION (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 details are made public and full public consultation has taken place regarding - (i) which public lands will be licensed; (ii) the future of areas of native vegetation now vested with the Victorian Plantations Corporation; and (iii) the financial implications and evaluations of the proposals" (*Ms Garbutt*).

*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 on the amendment.

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 and on the amendment.

And the House having continued to sit after 12 midnight -

THURSDAY, 30 APRIL 1998

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

The House divided.

AYES, 50

Mr Andrighetto	Mr John	Dr Napthine	Mr Stockdale
Mr Ashley	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	Mrs Peulich	Mr Treasure
Dr Dean	Ms McCall	Mr Phillips	Mr Wells
Mr Dixon	Mrs McGill	Mr Plowman	
Mr Doyle	Mr McGrath	(Benambra)	
Mrs Elliott	(Wimmera)	Mr Reynolds	
Mr Finn	Mr McLellan	Mr Richardson	
Mr Gude	(Frankston East)	Mr Rowe	Tellers
Mrs Henderson	Mr McNamara	Mr Ryan	Ms Burke
Mr Honeywood	Mr MacLellan	Mrs Shardey	Mr Kilgour
Mr Jasper	(Pakenham)	Mr Spry	Mr Smith
Mr Jenkins	Mr Maughan	Mr Steggall	(Glen Waverley)

NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mr Lim	
Mr Baker	Ms Davies	Mr Loney	
Mr Batchelor	Mr Dollis	Mr Mildenhall	
Mr Bracks	Ms Garbutt	Mr Robinson	
Mr Brumby	Ms Gillett	Mr Savage	Tellers
Mrs Campbell	Mr Haermeyer	Mr Seitz	Mr Cameron
Mr Carli	Ms Kosky	Mr Thwaites	Mr Langdon
Mr Cole	Mr Leighton	Mrs Wilson	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, 50

Mr Andrighetto	Mr John	Dr Napthine	Mr Stockdale
Mr Ashley	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	Mrs Peulich	Mr Treasure
Dr Dean	Ms McCall	Mr Phillips	Mr Wells
Mr Dixon	Mrs McGill	Mr Plowman	
Mr Doyle	Mr McGrath	(Benambra)	
Mrs Elliott	(Wimmera)	Mr Reynolds	
Mr Finn	Mr McLellan	Mr Richardson	
Mr Gude	(Frankston East)	Mr Rowe	Tellers
Mrs Henderson	Mr McNamara	Mr Ryan	Ms Burke
Mr Honeywood	Mr MacLellan	Mrs Shardey	Mr Kilgour
Mr Jasper	(Pakenham)	Mr Spry	Mr Smith
Mr Jenkins	Mr Maughan	Mr Steggall	(Glen Waverley)

NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mr Lim	
Mr Baker	Ms Davies	Mr Loney	
Mr Batchelor	Mr Dollis	Mr Mildenhall	
Mr Bracks	Ms Garbutt	Mr Robinson	
Mr Brumby	Ms Gillett	Mr Savage	<i>Tellers</i>
Mrs Campbell	Mr Haermeyer	Mr Seitz	Mr Cameron
Mr Carli	Ms Kosky	Mr Thwaites	Mr Langdon
Mr Cole	Mr Leighton	Mrs Wilson	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.

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

Electricity Safety Bill
Evidence (Confidential Communications) Bill.

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

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

And the House, at 12.56 a.m., adjourned until later this day.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 21 - Thursday, 30 April 1998

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

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

West Gippsland Catchment Management Authority - Seeking that the Minister for Agriculture and Resources withdraws the imposed levy of \$25 demanded by the West Gippsland Catchment Management Authority and makes funding for the Authority available by other means, bearing 3,184 signatures (*by Ms Davies*)

Helimed 1 Air Ambulance - Seeking that - (a) the House give full support to the long term retention, with long term funding, to the services of Helimed 1 (Air Ambulance) to the Gippsland and Latrobe Valley areas; and (b) the Helimed 1 service continue to be based in the Latrobe Valley, bearing 7,004 signatures (*by Mr Andrighetto*)

Point Gellibrand Historic Park - Seeking that - (a) the Government use the \$1.4 million paid by Tenix for the carpark site at Point Gellibrand, for the establishment of the Point Gellibrand Historic Park; and (b) the area be zoned a Parks and Recreation Conservation Zone in its entirety and in perpetuity, bearing 1,966 signatures (by Mr Bracks).

Severally ordered to lie on the Table.

- 3 **PETITION - WEST GIPPSLAND CATCHMENT MANAGEMENT AUTHORITY** - Motion made and question - That the petition presented by the Member for Gippsland West relating to the West Gippsland Catchment Management Authority be taken into consideration tomorrow (Ms Davies) - put and agreed to.
- 4 **PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the direction of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Anti-Cancer Council - Report for the year 1997
 - Constitution Act Amendment Act 1958 - Statements of functions conferred on the Electoral Commissioner, dated 21 April 1998
 - Deakin University - Report for the year 1997
 - Monash University - Report for the year 1997
 - Statutory Rules under the following Acts:
 - Conservation, Forests and Lands Act 1987 - S.R. No. 43
 - Consumer Affairs Act 1972 - S.R. No. 44
 - Livestock Disease Control Act 1994 - S.R. No. 42
 - Victims of Crime Assistance Act 1996 - S.R. No. 45
 - Subordinate Legislation Act 1994 -
 - Minister's exception certificate in relation to Statutory Rule No. 45
 - Ministers' exemption certificates in relation to Statutory Rule Nos. 42, 43.
- 5 **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.
- 6 **FINANCIAL AUDIT OF THE AUDITOR-GENERAL'S OFFICE** - 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 financial audit of the Auditor-General's Office for the 1997-98 financial year in accordance with the conditions of appointment and remuneration contained in Appendix 2 of the Report of the Public Accounts and Estimates Committee on the Appointment of Independent Auditors to Conduct Financial and Performance Audits of the Victorian Auditor-General's Office (Parliamentary Paper No. 7, Session 1998) - (Mr McGrath, Wimmera) - put and agreed to.

Ordered - That a Message be sent to the Legislative Council acquainting them of the Resolution and seeking their concurrence therein.
- 7 **PERFORMANCE AUDIT OF THE AUDITOR-GENERAL'S OFFICE** - Motion made and question - That, pursuant to section 19 of the *Audit Act* 1994, Mr Stuart Alford of Ernst & Young be appointed to conduct the performance audit of the Auditor-General's Office in accordance with the terms and conditions and remuneration contained in Appendix 3 of the Report of the Public Accounts and Estimates Committee on the Appointment of Independent Auditors to Conduct Financial and Performance Audits of the Victorian

Auditor-General's Office (Parliamentary Paper No. 7, Session 1998) - (*Mr McGrath, Wimmera*) - put and agreed to.

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

- 8 **FUNDRAISING APPEALS 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, 14 May 1998.

- 9 **INTERNATIONAL TRANSFER OF PRISONERS (VICTORIA) 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 Hulls*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 14 May 1998.

- 10 **PUBLIC CORRECTIONAL SERVICES AUTHORITY 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 Hulls*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 14 May 1998.

- 11 **GAMING 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.

- 12 **LOCAL GOVERNMENT (DAREBIN CITY 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 2.00 p.m.
pursuant to Sessional Orders.*

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

- 14 **LOCAL GOVERNMENT (DAREBIN CITY COUNCIL) BILL** - Debate continued 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, 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.

- 15 **EDUCATION (SELF-GOVERNING SCHOOLS) 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.

*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.

And the House having continued to sit after 12 midnight -

FRIDAY, 1 MAY 1998

Question - put.

The House divided.

AYES, 47

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

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Loney	
Mr Batchelor	Ms Garbutt	Mr Micallef	
Mr Bracks	Ms Gillett	Mr Mildenhall	
Mr Brumby	Mr Haermeyer	Mr Pandazopoulos	
Mrs Campbell	Mr Hulls	Mr Robinson	<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.

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.

16 MESSAGES FROM THE LEGISLATIVE COUNCIL -

Acquainting the Assembly that they have concurred with the Assembly in the appointment of Mr. Douglas N Bartley of KPMG to conduct the financial audit of the Victorian Auditor-General's Office.

Acquainting the Assembly that they have concurred with the Assembly in the appointment of Mr. Stuart Alford of Ernst & Young to conduct the performance audit of the Victorian Auditor-General's Office.

- 17 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 18 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 1.26 a.m., adjourned until later this day.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 22 - Friday, 1 May 1998

- 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:
- Police Station in Endeavour Hills** - Seeking that the Government makes a concerted effort to establish a police station in Endeavour Hills, bearing 6,083 signatures (*by Dr Dean*)
- Helimed 1 Air Ambulance** - Seeking that - (a) the House give full support to the long term retention, with long term funding, to the services of Helimed 1 (Air Ambulance) to the Gippsland and Latrobe Valley areas; and (b) the Helimed 1 service continue to be based in the Latrobe Valley, bearing 7,056 signatures (*by Ms Davies*).
- Severally ordered to lie on the Table.
- 3 **PETITION - HELIMED 1 AIR AMBULANCE** - Motion made and question - That the petition presented by the Member for Gippsland West relating to the Helimed 1 (Air Ambulance) be taken into consideration tomorrow (*Ms Davies*) - put and agreed to.
- 4 **PAPERS** -
- CHILD DEATHS: PROTECTION AND CARE** - Motion made, by leave, and question - That there be presented to this House the Annual Report of Inquiries into Child Deaths: Protection and Care 1998 (*Dr Naphthine*) - put and agreed to.
- The said report was presented by Dr Naphthine and ordered to lie on the Table.
- SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Ryan, Chairman, brought up the Fifth Annual Report from the Scrutiny of Acts and Regulations 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:
- Ballarat University - Report for the year 1997

Crown Land (Reserves) Act 1978 - Section 17DA Orders granting under -
 Section 17D - a lease in the Township of Ballarat East
 Section 17B - licences in the -
 City of Greater Geelong
 Township of Daylesford
 RMIT - Report for the year 1997.

- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 12 May 1998 (*Mr McGrath, Wimmera*) - put and agreed to.
- 6 **HERITAGE RIVERS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

[The Acting Speaker having left the Chair at 11.47 a.m., resumed it at 11.58 a.m.]

Question - put.

The House divided.

AYES, 44

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

NOES, 26

Mr Andrianopoulos	Mr Cunningham	Ms Kosky	Mr Seitz
Mr Baker	Ms Davies	Mr Lim	Mrs Wilson
Mr Batchelor	Mr Dollis	Mr Loney	
Mr Brumby	Ms Garbutt	Mr Micallef	<i>Tellers</i>
Mrs Campbell	Ms Gillett	Mr Pandazopoulos	Mr Cameron
Mr Carli	Mr Hamilton	Mr Robinson	Mr Langdon
Mr Cole	Mr Hulls	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.

- 7 **AGRICULTURE 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 Bill be withdrawn and redrafted to enable grower co-operatives to market barley from 1 July 1998 and therefore provide greater competition in the industry" (*Mr Brumby*).

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

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

9 AGRICULTURE ACTS (AMENDMENT) BILL - Debate continued on the 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 enable grower co-operatives to market barley from 1 July 1998 and therefore provide greater competition in the industry".

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

The House divided.

AYES, 49

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

NOES, 31

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

- 10 **DRIED FRUITS (REPEAL) 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 **APPROPRIATION (1998/99) 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 REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.

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

And the House, at 6.00 p.m., adjourned until Tuesday, 12 May 1998.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 23, 24, 25 and 26

No. 23 - Tuesday, 12 May 1998

- 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:

Dental Surgery/Medicine - Seeking that - (a) dental surgery or medicine be regulated to ensure that only qualified and registered dental operatives be allowed to practise; and (b) restrictions on who may own dental practices be maintained, bearing 40 signatures (*by Mr Ashley*)

Helimed 1 Air Ambulance - Seeking that - (a) the House give full support to the long term retention, with long term funding, to the services of Helimed 1 (Air Ambulance) to the Gippsland and Latrobe Valley areas; and (b) the Helimed 1 service continue to be based in the Latrobe Valley, bearing 7,001 signatures (*by Mr Hamilton*).

Severally ordered to lie on the Table.

- 4 **PETITION - HELIMED 1 AIR AMBULANCE** - Motion made and question - That the petition presented by the Member for Morwell relating to the Helimed 1 Air Ambulance be taken into consideration tomorrow (*Mr Hamilton*) - put and agreed to.

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. 4 of 1998 on the -

Appropriation (Parliament 1998/99) Bill
Appropriation (1998/99) Bill
Road Safety (Amendment) Bill
Ambulance Services (Amendment) Bill
Melbourne and Olympic Parks (Amendment) Bill
International Transfer of Prisoners (Victoria) Bill
Parks Victoria Bill
Fundraising Appeals Bill
Land Tax (Amendment) Bill
Catchment and Land Protection (Amendment) Bill
Rail Corporations (Amendment) Bill
National Parks (Amendment) Bill
Public Correctional Services Authority Bill
State Taxation (Amendment) Bill
Local Government (Amendment) Bill

Physiotherapists Registration Bill
 Gas Industry (Amendment) Bill
 Miscellaneous Acts (Omnibus No. 1) Bill
 Public Sector Management and Employment Bill
 Public Sector Reform (Miscellaneous Amendments) Bill
 Melbourne City Link (Exhibition Street Extension) Bill
 Transport Accident (Amendment) Bill
 Gas Pipelines (Victoria) Bill
 Electricity Safety Bill

together with an Appendix and an Extract of the Proceedings of the Committee.

Ordered to lie on the Table and to be printed.

Mr Thompson, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Tenth Report on Subordinate Legislation concerning Statutory Rules Series 1997, 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. 56 - Acute health services under casemix: A case of mixed priorities, May 1998 - Ordered to be printed

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. 12, and notice regarding the amendment, commencement and availability of the Poisons Code

Judicial Remuneration Tribunal - Report on Judicial Salary and Allowances, 31 March 1998

Police Regulation Act 1958 - Final Report of the Ombudsman - Operation Bart - Investigation of Allegations against Police in Relation to the Shutter Allocation System, May 1998 - Ordered to be printed

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

All Planning Schemes - No. SR4
 Ballarat Planning Scheme - No. L35
 Boroondara Planning Scheme - No. L37
 Colac Otway Planning Scheme - No. L16
 Doncaster and Templestowe Planning Scheme - No. L123
 Glen Eira Planning Scheme - No. L24
 Golden Plains Planning Scheme - No. L8
 Knox Planning Scheme - Nos. L144, L163
 Korong Planning Scheme - No. L4
 Macedon Ranges Planning Scheme - No. L21
 Metropolitan Region Planning Schemes - No. SR4
 Moonee Valley Planning Scheme - No. L33
 Port Phillip Planning Scheme - No. L64
 Stonnington Planning Scheme - Nos. L46, L56
 Whitehorse Planning Scheme - Nos. L4, L28
 Yarra Planning Scheme - No. L72

Statutory Rules under the following Acts:

- Adoption Act 1984 - S.R. No. 50
- Alpine Resorts (Management) Act 1997 - S.R. No. 46
- Conservation, Forests and Lands Act 1987 - S.R. No. 47
- Metropolitan Fire Brigades Act 1958 - S.R. No. 48
- Supreme Court Act 1986 - S.R. Nos. 50, 51
- Trans-Tasman Mutual Recognition (Victoria) Act 1998 - S.R. No. 49

Subordinate Legislation Act 1994 -

- Ministers' exception certificates in relation to Statutory Rule Nos. 48, 50
- Ministers' exemption certificates in relation to Statutory Rule Nos. 47, 49

Swinburne University of Technology - Report for the year 1997

Youth Parole Board and Youth Residential Board - 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 17 February 1998:

- Alpine Resorts (Management) Act 1997 - Remaining provisions on 30 April 1998 (*Gazette No. G17, 30 April 1998*)
- Land (Reservations and other Matters) Act 1997 - Part 5 and Item 19 of Schedule 1 and Schedule 12 on 8 May 1998 (*Gazette No. G18, 7 May 1998*)
- Trans-Tasman Mutual Recognition (Victoria) Act 1998 - Whole Act on 1 May 1998 (*Gazette No. G17, 30 April 1998*).

6 MESSAGE FROM HER EXCELLENCY THE LIEUTENANT-GOVERNOR - ASSENT TO BILLS - Informing the Assembly that she had, on 5 May 1998, given the Royal Assent to the following Bills, presented to her by the Clerk of the Parliaments:

- Building (Amendment) Bill
- Credit (Amendment) Bill
- Crimes (Family Violence) (Amendment) Bill
- Evidence (Confidential Communications) Bill
- Firearms (Amendment) Bill
- Property Law (Amendment) Bill
- Sea-Carriage Documents Bill.

7 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILL - Informing the Assembly that he had, that day, given the Royal Assent to the Electricity Safety Bill presented to him by the Clerk of the Parliaments.

8 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 Land Tax (Amendment) Bill.

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:

- Ambulance Services (Amendment) Bill
- Catchment and Land Protection (Amendment) Bill
- Fundraising Appeals Bill
- Gas Industry (Amendment) Bill
- Land Tax (Amendment) Bill
- Melbourne and Olympic Parks (Amendment) Bill

Melbourne City Link (Exhibition Street Extension) Bill
 Miscellaneous Acts (Omnibus No. 1) Bill
 National Parks (Amendment) Bill
 Parks Victoria Bill
 Physiotherapists Registration Bill
 Public Correctional Services Authority Bill
 Public Sector Management and Employment Bill
 Rail Corporations (Amendment) Bill
 Road Safety (Amendment) (Bill
 State Taxation (Amendment) Bill.

- 10 **CONCURRENT DEBATE - PUBLIC SECTOR REFORM (MISCELLANEOUS AMENDMENTS) BILL AND PUBLIC SECTOR MANAGEMENT AND EMPLOYMENT 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 Public Sector Reform (Miscellaneous Amendments) Bill and Public Sector Management and Employment Bill to be moved and debated concurrently (*Mr Kennett*) - 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 p.m., Friday, 15 May 1998:
- Public Sector Reform (Miscellaneous Amendments) Bill
 - Rail Corporations (Amendment) Bill
 - Melbourne and Olympic Parks (Amendment) Bill
 - Melbourne City Link (Exhibition Street Extension) Bill
 - Gas Industry (Amendment) Bill
 - Parks Victoria Bill
 - Public Sector Management and Employment Bill
 - Ambulance Services (Amendment) Bill
 - Miscellaneous Acts (Omnibus No. 1) Bill
 - Land Tax (Amendment) Bill
 - State Taxation (Amendment) Bill
 - Gaming No. 2 (Amendment) Bill
 - Business Licensing Authority Bill
 - Victorian Civil and Administrative Tribunal Bill
 - Tribunals and Licensing Authorities (Miscellaneous Amendments) Bill
 - Catchment and Land Protection (Amendment) Bill
- (*Mr Gude*) - after debate, put.

The House divided.

AYES, 55

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

NOES, 24

Mr Andrianopoulos	Ms Davies	Mr Leighton	
Mr Baker	Mr Dollis	Mr Lim	
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Robinson	<i>Tellers</i>
Mr Brumby	Mr Haermeyer	Mr Savage	Mr Cameron
Mr Carli	Mr Hamilton	Mr Seitz	Mr Langdon
Mr Cunningham	Mr Hulls	Mrs Wilson	Mrs Maddigan

And so it was resolved in the affirmative.

- 12 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos. 1 to 5 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 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 Loney*) - put and agreed to.
- Ordered - That the debate be adjourned until later this day.
- 14 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos. 7 to 11 inclusive, be postponed until later this day.

- 15 **LAND TAX (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 later this day.
- 16 **STATE TAXATION (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.
 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.
- 17 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos. 14 and 15, be postponed until later this day.
- 18 **VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL 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 Batchelor*) - put and agreed to.
 Ordered - That the debate be adjourned until later this day.
- 19 **TRIBUNALS AND LICENSING AUTHORITIES (MISCELLANEOUS AMENDMENTS) 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 Batchelor*) - put and agreed to.
 Ordered - That the debate be adjourned until later this day.
- 20 **PUBLIC SECTOR REFORM (MISCELLANEOUS AMENDMENTS) BILL AND PUBLIC SECTOR MANAGEMENT AND EMPLOYMENT BILL** - Order read for resuming debate on question - That these Bills be now read a second time; debate resumed.
 Motion made and question - That the debate be now adjourned (*Mr Plowman, Benambra*) - put and agreed to.
 Ordered - That the debate be adjourned until later this day.
- 21 **RAIL CORPORATIONS (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 (*Mrs Tehan*) - put and agreed to.

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

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	Mrs Peulich	Mr Traynor
Mr Cooper	Mr Lupton	Mr Phillips	Mr Treasure
Dr Dean	Mr McArthur	Mr Plowman	Mrs Wade
Mr Dixon	Ms McCall	(Benambra)	Mr Wells
Mr Doyle	Mrs McGill	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	Tellers
Mrs Henderson	Mr McNamara	Mr Smith	Ms Burke
Mr Honeywood	Mr Maclellan	(Polwarth)	Mr Kilgour
Mr Jasper	(Pakenham)	Mr Spry	Mr Smith
Mr Jenkins	Mr Maughan	Mr Steggall	(Glen Waverley)

NOES, 24

Mr Andrianopoulos	Ms Garbutt	Mr Loney	
Mr Batchelor	Ms Gillett	Mr Mildenhall	
Mr Bracks	Mr Haermeyer	Mr Robinson	
Mr Carli	Mr Hamilton	Mr Savage	Tellers
Mr Cunningham	Mr Hulls	Mr Seitz	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 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.

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

Transport Accident (Amendment) Bill
St George Bank and Advance Bank Australia Bill.

23 **MELBOURNE AND OLYMPIC PARKS (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 has - (i) recognised the 'Parklands Code' by undertaking public consultation and objective assessment of the proposed changes to parklands, and demonstrating how lost parkland will be replaced with areas of comparable size and quality; (ii) provided the public with full details of the project including drawings, costings and proposed financing; and (iii) provided for traffic, public transport, and parking requirements for the multi-purpose velodrome" (*Mrs Maddigan*) - and, after debate -

And the House having continued to sit after 12 midnight -

WEDNESDAY, 13 MAY 1998

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

The House divided.

AYES, 54

Mr Andrighetto	Mr Kennett	Mr Paterson	Mr Steggall
Mr Ashley	Mr Lean	Mr Perrin	Mr Stockdale
Mr Clark	Mr Leigh	Mr Perton	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	(<i>Benambra</i>)	Mrs Wade
Mr Doyle	Mr McGrath	Mr Reynolds	Mr Wells
Mrs Elliott	(<i>Wimmera</i>)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(<i>Frankston East</i>)	Mr Ryan	
Mrs Henderson	Mr McNamara	Mr Savage	<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, 22

Mr Andrianopoulos	Mr Dollis	Mr Leighton	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Lim	
Mr Bracks	Ms Gillett	Mr Loney	<i>Tellers</i>
Mr Carli	Mr Haermeyer	Mr Mildenhall	Mr Cameron
Mr Cunningham	Mr Hamilton	Mr Robinson	Mr Langdon
Ms Davies	Mr Hulls	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.

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

Victorian Plantations Corporation (Amendment) Bill
Gas Pipelines Access (Victoria) Bill.

25 **MELBOURNE CITY LINK (EXHIBITION STREET EXTENSION) 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 Kennett	Mr Paterson	Mr Stockdale
Mr Ashley	Mr Lean	Mr Perrin	Mrs Tehan
Mr Clark	Mr Leigh	Mr Perton	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	
Mrs Elliott	(Wimmera)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(Frankston East)	Mr Ryan	
Mrs Henderson	Mr McNamara	Mrs Shardey	Tellers
Mr Honeywood	Mr Maclellan	Mr Smith	Ms Burke
Mr Jasper	(Pakenham)	(Polwarth)	Mr Kilgour
Mr Jenkins	Mr Maughan	Mr Spry	Mr Smith
Mr John	Dr Napthine	Mr Steggall	(Glen Waverley)

NOES, 22

Mr Andrianopoulos	Mr Dollis	Mr Leighton	Mr Seitz
Mr Batchelor	Ms Garbutt	Mr Lim	
Mr Bracks	Ms Gillett	Mr Loney	Tellers
Mr Carli	Mr Haermeyer	Mr Mildenhall	Mr Cameron
Mr Cunningham	Mr Hamilton	Mr Robinson	Mr Langdon
Ms Davies	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, 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 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Maclellan, Pakenham*) - put and agreed to.

- 27 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 2.41 a.m., adjourned until later this day.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 24 - Wednesday, 13 May 1998

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
Dental Surgery/Medicine - Seeking that - (a) dental surgery or medicine be regulated to ensure that only qualified and registered dental operatives be allowed to practise; and (b) restrictions on who may own dental practices be maintained, bearing 103 signatures (*by Mrs McGill*)
Ordered to lie on the Table.
- 3 **PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the direction of several Acts of Parliament, were laid upon the Table by the Clerk:
Auditor-General - Report on Ministerial Portfolios, May 1998 - Ordered to be printed
Construction Industry Long Service Leave Board (CoINVEST) - Report for the period ended 30 November 1997
Police Regulation Act 1958 - Interim Report of the Ombudsman - Allegations Raised Concerning the Activities of the Operations Intelligence Unit and Other Related Issues, May 1998 - Ordered to be printed.
- 4 **ADJOURNMENT MOTION - ACUTE HEALTH SYSTEM** - Mr Thwaites proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -
"The Auditor-General's findings in relation to the acute health system contained in the Auditor-General's Special Report No. 56".
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, 27

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

NOES, 48

Mr Ashley	Mr John	Mr Perrin	Mr Thompson
Mr Clark	Mr Lean	Mr Perton	Mr Traynor
Mr Coleman	Mr Leigh	Mrs Peulich	Mr Treasure
Mr Cooper	Mr McArthur	Mr Plowman	Mrs Wade
Dr Dean	Ms McCall	(Benambra)	Mr Wells
Mr Dixon	Mr McGrath	Mr Reynolds	
Mr Doyle	(Wimmera)	Mr Richardson	
Mr Elder	Mr McLellan	Mr Rowe	
Mrs Elliott	(Frankston East)	Mr Ryan	
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	Mrs Tehan	(Glen Waverley)

And so it passed in the negative.

- 5 **RURAL VICTORIA 2001 PROGRAM - MINISTERIAL VISITS** - Motion made and question proposed - That the House congratulates the Government on its continued willingness to consult widely across rural and regional Victoria through a program of Ministerial visits under the Rural Victoria 2001 program (*Mr Kilgour*).

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

- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 7 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** - Mr McNamara obtained leave with Mr Gude, to bring in a Bill "*to amend the Livestock Disease Control Act 1994, the Plant Health and Plant Products Act 1995 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.
- 8 **TRANSFER OF LAND (SINGLE REGISTER) BILL** - Mrs Tehan obtained leave with Mr Gude, to bring in a Bill "*to amend the Transfer of Land Act 1958 to further streamline procedures for the conversion of general law land and to make consequential amendments to the Property Law Act 1958 and 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.

- 9 **PUBLICATION OF REPORTS, PAPERS AND VOTES AND PROCEEDINGS** - Motion made and question - That this House authorises the publication in written or electronic form of any report, paper, votes or proceedings within the meaning of section 73 of the *Constitution Act 1975* by such persons, officers or servants as may be nominated in writing from time to time by Mr Speaker (*Mr Gude*) - put and agreed to.

- 10 **AMBULANCE SERVICES (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 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	(<i>Benambra</i>)	Mr Wells
Dr Dean	Mrs McGill	Mr Reynolds	
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 Savage	
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>)

NOES, 25

Mr Andrianopoulos	Mr Dollis	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mr Mildenhall	
Mr Brumby	Mr Haermeyer	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Mr Hamilton	Mr Robinson	Mr Cameron
Mr Cole	Mr Hulls	Mr Seitz	Mr Langdon
Mr Cunningham	Mr Leighton	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 **LAND TAX (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.

- 12 **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 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.

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

Local Government (Darebin City Council) Bill
Gaming Acts (Amendment) Bill
Heritage Rivers (Amendment) Bill.

- 14 **GAMING NO. 2 (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.

- 15 **PUBLIC SECTOR REFORM (MISCELLANEOUS AMENDMENTS) BILL AND PUBLIC SECTOR MANAGEMENT AND EMPLOYMENT BILL** - Order read for resuming debate on question - That these Bills 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 (*Mrs Henderson*) - put and agreed to.

Debate continued on question - That these Bills be now read a second time.

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

Ordered - That the debate be adjourned until tomorrow.

And the House having continued to sit after 12 midnight -

THURSDAY, 14 MAY 1998

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

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

And the House, at 12.56 a.m., adjourned until later this day.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 25 - Thursday, 14 May 1998

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

Dental Surgery/Medicine - Seeking that - (a) dental surgery or medicine be regulated to ensure that only qualified and registered dental operatives be allowed to practise; and (b) restrictions on who may own dental practices be maintained, bearing 40 signatures (*by Mrs Shardey*)

Pentridge Complex - Seeking that the Government consider recommendations in order that the Pentridge Complex can be retained and developed due to its historical significance and its potential for development, bearing 5,861 signatures (*by Mrs Wilson*)

Essendon and District Memorial Hospital - Seeking that the Government immediately halt negotiations related to the sale of the Essendon and District Memorial Hospital until a consultation process is instituted with the residents of the Essendon community and hospital users to keep public health facilities in the Essendon area, bearing 53 signatures (*by Mrs Maddigan*).

Severally ordered to lie on the Table.

3 PAPERS

ECONOMIC DEVELOPMENT COMMITTEE - Mr Batchelor, brought up the Final Report from the Economic Development Committee upon the Inquiry into the Economic Impact of Business Migration 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:

Alpine Health - Report for the period ended 30 June 1997

Auditor-General - Special Report No. 57 - Public Transport Reforms: Moving from a system to a service, May 1998 - Ordered to be printed

Bright District Hospital and Health Services - Report for the period ended 31 October 1996

Members of Parliament (Register of Interests) Act 1978 - Summary of Variations Notified between 4 December 1997 and 13 May 1998 - Ordered to be printed

Myrtleford District War Memorial Hospital - Report for the period ended 31 October 1996

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 1997-98 Budget Estimates

Prince Henry's Institute of Medical Research - Report for the year 1997

Tawonga District General Hospital - Report for the period ended 31 October 1996.

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

Dried Fruits (Repeal) Bill
Agriculture Acts (Amendment) Bill.

- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until tomorrow at 10.00 a.m. (*Mr Gude*) - put and agreed to.

- 6 **LIVESTOCK DISEASE CONTROL (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 Hulls*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 28 May 1998.

- 7 **TRANSFER OF LAND (SINGLE REGISTER) 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 May 1998.

- 8 **BUSINESS LICENSING AUTHORITY BILL, VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL BILL AND TRIBUNALS AND LICENSING AUTHORITIES (MISCELLANEOUS AMENDMENTS) BILL** - Order read for resuming debate on question - That these Bills be now read a second time.

Pursuant to Sessional Orders, Mr Hulls announced that it was proposed to move amendments to the Victorian Civil and Administrative Tribunal Bill and Tribunals and Licensing Authorities (Miscellaneous Amendments) Bill in Committee and requested that they be circulated. Amendments circulated.

Debate resumed on question - That these Bills be now read a second time.

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

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

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

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

- 10 **BUSINESS LICENSING AUTHORITY BILL, VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL BILL AND TRIBUNALS AND LICENSING AUTHORITIES (MISCELLANEOUS AMENDMENTS) BILL** - Order read for resuming debate on question - That these Bills be now read a second time; debate resumed.

Business Licensing Authority 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.

Victorian Civil and Administrative Tribunal 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.

Tribunals and Licensing Authorities (Miscellaneous Amendments) 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.

Bills considered in Committee and each reported with amendments; Bills as amended, considered, and amendments agreed to.

Victorian Civil and Administrative Tribunal 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.

Tribunals and Licensing Authorities (Miscellaneous Amendments) 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 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:

Education (Self-Governing Schools) Bill
 Appropriation (1998/99) Bill
 Appropriation (Parliament 1998/99) Bill.

12 **GAS INDUSTRY (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 such time as - (a) the Environmental Effects Statement process for the proposed Port Campbell underground gas storage facility is complete; and (b) local government has been consulted regarding the proposal to exempt privatised gas companies from paying council rates on gas pipelines" (*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 Reynolds*) - put and agreed to.

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

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

The House divided.

AYES, 52

Mr Andrighetto	Mr Kennett	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
Dr Dean	Mr McArthur	Mr Phillips	Mrs Wade
Mr Dixon	Ms McCall	Mr Plowman	Mr Wells
Mr Doyle	Mrs McGill	(Benambra)	
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(Wimmera)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Ryan	
Mr Gude	(Frankston East)	Mrs Shardey	
Mrs Henderson	Mr McNamara	Mr Smith	Tellers
Mr Honeywood	Mr Maclellan	(Polwarth)	Ms Burke
Mr Jasper	(Pakenham)	Mr Spry	Mr Kilgour
Mr Jenkins	Mr Maughan	Mr Steggall	Mr Smith
Mr John	Dr Napthine	Mr Stockdale	(Glen Waverley)

NOES, 24

Mr Andrianopoulos	Mr Dollis	Mr Loney	
Mr Batchelor	Ms Garbutt	Mr Mildenhall	
Mr Bracks	Ms Gillett	Mr Pandazopoulos	
Mr Brumby	Mr Hamilton	Mr Robinson	Tellers
Mr Carli	Mr Hulls	Mr Savage	Mr Cameron
Mr Cunningham	Mr Leighton	Mr Seitz	Mr Langdon
Ms Davies	Mr Lim	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 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 CATCHMENT AND LAND PROTECTION (AMENDMENT) 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 after 12 midnight -

FRIDAY, 15 MAY 1998

Question - put.

The House divided.

AYES, 55

Mr Andrighetto	Mr Kennett	Dr Napthine	Mr Stockdale
Mr Ashley	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	Mrs Peulich	Mr Treasure
Dr Dean	Ms McCall	Mr Phillips	Mrs Wade
Mr Dixon	Mrs McGill	Mr Plowman	Mr Wells
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	Mr Savage	
Mrs Henderson	(Frankston East)	Mrs Shardey	Tellers
Mr Honeywood	Mr McNamara	Mr Smith	Ms Burke
Mr Jasper	Mr Maclellan	(Polwarth)	Mr Kilgour
Mr Jenkins	(Pakenham)	Mr Spry	Mr Smith
Mr John	Mr Maughan	Mr Steggall	(Glen Waverley)

NOES, 21

Mr Andrianopoulos	Ms Davies	Mr Loney	
Mr Batchelor	Mr Dollis	Mr Mildenhall	
Mr Bracks	Ms Garbutt	Mr Pandazopoulos	Tellers
Mr Brumby	Mr Hamilton	Mr Robinson	Mr Cameron
Mr Carli	Mr Leighton	Mr Seitz	Mr Langdon
Mr Cunningham	Mr Lim	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.

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

Melbourne and Olympic Parks (Amendment) Bill
Rail Corporations (Amendment) Bill.

- 15 **PARKS 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 Batchelor*) - put and agreed to.

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

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

- 17 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 2.15 a.m., adjourned until later this day.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 26 - Friday, 15 May 1998

- 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:

Cambodian Association of Victoria - Seeking that the House ensures that the recent untrue and malicious politically motivated attacks on the Cambodian Association of Victoria will not result in the official persecution of this long established and well respected organisation or those dependent on its services, bearing 971 signatures (*by Mr Lim*)

Mountain View Hotel, Glen Waverley - Seeking that - (a) the current application by the Mountain View Hotel, Glen Waverley to the Liquor Licensing Commission to allow it to operate 24 hours a day be stayed until proposed noise abatement works are completed and proven effective; and (b) the Hotel be required to objectively monitor amplified sound levels, bearing 38 signatures (*by Mr Smith, Glen Waverley*)

Tarago Reservoir - Seeking that access be permitted to the Tarago Reservoir and its surrounds so as to provide a recreation facility for the people of Victoria, bearing 1,426 signatures (*by Mr Andrighetto*).

Severally ordered to lie on the Table.

- 3 **PAPER** -
ENVIRONMENT AND NATURAL RESOURCES COMMITTEE - Mr Perrin, Chairman, brought up a Report from the Environment and Natural Resources Committee on Weeds in Victoria, together with an Appendices and Minutes of Evidence.
Ordered to lie on the Table and the Report and Appendices to be printed.
- 4 **PARKS VICTORIA 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 Jenkins	Mr Maughan	Mr Stockdale
Mr Ashley	Mr John	Dr Napthine	Mrs Tehan
Mr Clark	Mr Lean	Mr Paterson	Mr Thompson
Mr Coleman	Mr Leigh	Mr Perrin	Mr Traynor
Mr Cooper	Mr Lupton	Mr Perton	Mr Treasure
Dr Dean	Mr McArthur	Mrs Peulich	Mrs Wade
Mr Dixon	Ms McCall	Mr Phillips	Mr Wells
Mr Doyle	Mrs McGill	Mr Plowman	
Mr Elder	Mr McGrath	(Benambra)	
Mrs Elliott	(Wimmera)	Mr Reynolds	
Mr Finn	Mr McLellan	Mr Ryan	Tellers
Mr Gude	(Frankston East)	Mrs Shardey	Ms Burke
Mrs Henderson	Mr McNamara	Mr Smith	Mr Kilgour
Mr Honeywood	Mr Maclellan	(Polwarth)	Mr Smith
Mr Jasper	(Pakenham)	Mr Steggall	(Glen Waverley)

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Micallef	
Mr Batchelor	Ms Garbutt	Mr Mildenhall	
Mr Bracks	Ms Gillett	Mr Pandazopoulos	
Mr Brumby	Mr Hamilton	Mr Robinson	
Mr Carli	Mr Hulls	Mr Savage	Tellers
Mr Cole	Mr Leighton	Mr Seitz	Mr Cameron
Mr Cunningham	Mr Lim	Mr Thwaites	Mr Langdon
Ms Davies	Mr Loney	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.

- 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 Gude*) - put and agreed to.
- 6 **MISCELLANEOUS ACTS (OMNIBUS NO. 1) 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) the Parliament receive a report from the Premier on the difficulties he has had in establishing an Audit Victoria Board that has Members with practising certificates; (c) the Parliament receive a report from the Attorney-General as to the number of victims of crime successfully suing their offenders, seeking damages for their pain and

suffering under section 31 of the **Confiscation Act 1997**; and (d) the Premier establish proper guidelines regulating the Community Support Fund" (*Mr Hulls*) - 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 **MISCELLANEOUS ACTS (OMNIBUS NO. 1) 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 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) the Parliament receive a report from the Premier on the difficulties he has had in establishing an Audit Victoria Board that has Members with practising certificates; (c) the Parliament receive a report from the Attorney-General as to the number of victims of crime successfully suing their offenders, seeking damages for their pain and suffering under section 31 of the **Confiscation Act 1997**; and (d) the Premier establish proper guidelines regulating the Community Support Fund".

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

The House divided.

AYES, 53

Mr Andrighetto	Mr Jenkins	Mr Maughan	Mr Stockdale
Mr Ashley	Mr John	Dr Napthine	Mrs Tehan
Mr Clark	Mr Kennett	Mr Paterson	Mr Thompson
Mr Coleman	Mr Lean	Mr Perrin	Mr Traynor
Mr Cooper	Mr Leigh	Mr Perton	Mr Treasure
Ms Davies	Mr Lupton	Mrs Peulich	Mrs Wade
Dr Dean	Mr McArthur	Mr Phillips	Mr Wells
Mr Dixon	Ms McCall	Mr Plowman	
Mr Doyle	Mrs McGill	(<i>Benambra</i>)	
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(<i>Wimmera</i>)	Mr Richardson	
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 Honeywood	Mr MacLellan	(<i>Polwarth</i>)	Mr Smith
Mr Jasper	(<i>Pakenham</i>)	Mr Steggall	(<i>Glen Waverley</i>)

NOES, 27

Mr Andrianopoulos	Ms Gillett	Mr Mildenhall	
Mr Baker	Mr Haermeyer	Mr Pandazopoulos	
Mr Batchelor	Mr Hamilton	Mr Robinson	
Mr Bracks	Mr Hulls	Mr Savage	
Mr Brumby	Mr Leighton	Mr Seitz	<i>Tellers</i>
Mr Carli	Mr Lim	Mr Sheehan	Mr Cameron
Mr Cunningham	Mr Loney	Mr Thwaites	Mr Langdon
Ms Garbutt	Mr Micallef	Mrs Wilson	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. 1) Bill into ten Bills as follows:

- (a) An Audit (Amendment) Bill being the Miscellaneous Acts (Omnibus No. 1) Bill with the following changes:
- (i) Long title as follows:
"A Bill to amend the **Audit 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 **Audit Act 1994**.
2. Commencement.
This Act is deemed to have come into operation on 16 December 1997."
- (iii) Omit Parts 3 to 11 inclusive.
- (b) A Children and Young Persons (Amendment) Bill being the Miscellaneous Acts (Omnibus No. 1) Bill with the following changes:
- (i) Long title as follows:
"A Bill to amend the **Children and Young Persons Act 1989** 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 **Children and Young Persons Act 1989**.
2. Commencement.
This Act comes into operation on the day on which it receives the Royal Assent.";
- (iii) Heading to Part 3 to be renumbered Part 2, Clauses 4 and 5 of the Miscellaneous Acts (Omnibus No. 1) Bill to be renumbered as 3 and 4 and inserted under Heading to Part 2;
- (iv) Omit all other Parts;
- (c) A Confiscation (Amendment) Bill being the Miscellaneous Acts (Omnibus No. 1) Bill with the following changes:
- (i) Long title as follows:
"A Bill to amend the **Confiscation Act 1997** 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 **Confiscation Act 1997**.
2. Commencement.

This Act comes into operation on the day on which it receives the Royal Assent.";

- (iii) Heading to Part 4 to be renumbered Part 2, Clauses 6 to 39 of the Miscellaneous Acts (Omnibus No. 1) Bill to be renumbered as 3 to 36 and inserted under Heading to Part 2;
- (iv) Omit all other Parts;
- (d) A Crimes (Mental Impairment and Unfitness to be Tried) (Amendment) Bill being the Miscellaneous Acts (Omnibus No. 1) Bill with the following changes:
 - (i) Long title as follows:

"A Bill to amend the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 and certain other Acts 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 **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997** and certain other Acts.

2. Commencement.

This Act is deemed to have come into operation on 18 April 1998.";
 - (iii) Heading to Part 5 to be renumbered Part 2, Clauses 40, 41 and 42 of the Miscellaneous Acts (Omnibus No. 1) Bill to be renumbered as 3, 4 and 5 and inserted under Heading to Part 2;
 - (iv) Omit all other Parts;
- (e) A Gaming Machine Control (Amendment) Bill being the Miscellaneous Acts (Omnibus No. 1) Bill with the following changes:
 - (i) Long title as follows:

"A Bill to amend the Gaming Machine Control Act 1991 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 **Gaming Machine Control Act 1991**.

2. Commencement.

This Act comes into operation on the day on which it receives the Royal Assent.";
 - (iii) Heading to Part 6 to be renumbered Part 2, Clause 43 of the Miscellaneous Acts (Omnibus No. 1) Bill to be renumbered as 3 and inserted under Heading to Part 2;
 - (iv) Omit all other Parts;
- (f) A Gaming No. 2 (Further Amendment) Bill being the Miscellaneous Acts (Omnibus No. 1) Bill with the following changes:
 - (i) Long title as follows:

"A Bill to make further amendment to the **Gaming No. 2 Act 1997** 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 **Gaming No. 2 Act 1997**.
- 2. Commencement.**
- This Act comes into operation on the day on which it receives the Royal Assent.";
- (iii) Heading to Part 7 to be renumbered Part 2, Clause 44 of the Miscellaneous Acts (Omnibus No. 1) Bill to be renumbered as 3 and inserted under Heading to Part 2;
- (iv) Omit all other Parts;
- (g) A Magistrates' Court (Amendment) Bill being the Miscellaneous Acts (Omnibus No. 1) Bill with the following changes:
- (i) Long title as follows:
- "A Bill to amend the **Magistrates' Court Act 1989** 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 **Magistrates' Court Act 1989**.
- 2. Commencement.**
- This Act comes into operation on the day on which it receives the Royal Assent.";
- (iii) Heading to Part 8 be renumbered Part 2, Clauses 45 and 46 of the Miscellaneous Acts (Omnibus No. 1) Bill to be renumbered as 3 and 4 and inserted under Heading to Part 2;
- (iv) Omit all other Parts;
- (h) A Port Services (Amendment) Bill being the Miscellaneous Acts (Omnibus No. 1) Bill with the following changes:
- (i) Long title as follows:
- "A Bill to amend the **Port Services 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 **Port Services Act 1995**.
- 2. Commencement.**
- This Act comes into operation on the day on which it receives the Royal Assent.";

- (iii) Heading to Part 9 to be renumbered Part 2, Clause 47 of the Miscellaneous Acts (Omnibus No. 1) Bill to be renumbered as 3 and inserted under Heading to Part 2;
- (iv) Omit all other Parts;
- (i) A Public Sector Superannuation (Administration) (Amendment) Bill being the Miscellaneous Acts (Omnibus No. 1) Bill with the following changes:
 - (i) Long title as follows:

"A Bill to amend the **Public Sector Superannuation (Administration) Act 1993**, to repeal the **Local Authorities Superannuation Act 1988** 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 **Public Sector Superannuation (Administration) Act 1993** and to repeal the **Local Authorities Superannuation Act 1988**.

2. Commencement.

This Act comes into operation on the day on 1 July 1998.";
 - (iii) Heading to Part 10 to be renumbered Part 2, Clauses 48 to 50 of the Miscellaneous Acts (Omnibus No. 1) Bill to be renumbered as 3 to 5 and inserted under Heading to Part 2;
 - (iv) Omit all other Parts;
- (j) A Wills (Amendment) Bill being the Miscellaneous Acts (Omnibus No. 1) Bill with the following changes:
 - (i) Long title as follows:

"A Bill to amend the **Wills Act 1997** 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 **Wills Act 1997**.

2. Commencement.

(1) Subject to this section, this Act comes into operation on the day on which it receives the Royal Assent.

(2) Section 10 comes into operation on the day on which Part 7 of the **Wills Act 1997** comes into operation.";
 - (iii) Heading to Part 11 to be renumbered Part 2, Clauses 51 to 58 of the Miscellaneous Acts (Omnibus No. 1) Bill to be renumbered as 3 to 10 and inserted under Heading to Part 2;
 - (iv) Omit all other Parts; and
- (k) That each Bill be reported separately to the House (*Mr Hulls*).

Question - That the motion be agreed to - put.

The House divided.

AYES, 27

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

NOES, 54

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

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.

- 9 **PUBLIC SECTOR REFORM (MISCELLANEOUS AMENDMENTS) BILL AND PUBLIC SECTOR MANAGEMENT AND EMPLOYMENT BILL** - Order read for resuming debate on question - That these Bills be now read a second time; debate resumed.

Public Sector Reform (Miscellaneous Amendments) Bill - Question - That this Bill be now read a second time - put.

The House divided.

AYES, 50

Mr Andrighetto	Mr Jenkins	Dr Napthine	Mr Stockdale
Mr Ashley	Mr John	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 Feulich	Mr Treasure
Dr Dean	Mr McArthur	Mr Phillips	Mrs Wade
Mr Dixon	Ms McCall	Mr Plowman	Mr Wells
Mr Doyle	Mrs McGill	(Benambra)	
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(Warrnambool)	Mr Richardson	Tellers
Mr Finn	Mr McLellan	Mr Ryan	Ms Burke
Mr Gude	(Frankston East)	Mrs Sharkey	Mr Kilgour
Mrs Henderson	Mr Maclellan	Mr Smith	Mr Smith
Mr Honeywood	(Pakenham)	(Polwarth)	(Glen Waverley)
Mr Jasper	Mr Maughan	Mr Steggall	

NOES, 28

Mr Andrianopoulos	Ms Garbutt	Mr Micallef	Mrs Wilson
Mr Batchelor	Ms Gillett	Mr Mildenhall	
Mr Bracks	Mr Haermeyer	Mr Pandazopoulos	
Mr Brumby	Mr Hamilton	Mr Robinson	
Mr Carli	Mr Hulls	Mr Savage	Tellers
Mr Cunningham	Mr Leighton	Mr Seitz	Mr Cameron
Ms Davies	Mr Lim	Mr Sheehan	Mr Langdon
Mr Dollis	Mr Loney	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.

Public Sector Management and Employment Bill - Question - That this Bill be now read a second time - put.

The House divided.

AYES, 50

Mr Andrighetto	Mr Jenkins	Dr Napthine	Mr Stockdale
Mr Ashley	Mr John	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
Dr Dean	Mr McArthur	Mr Phillips	Mrs Wade
Mr Dixon	Ms McCall	Mr Plowman	Mr Wells
Mr Doyle	Mrs McGill	(Benambra)	
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(Warrnambool)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Ryan	Tellers
Mr Gude	(Frankston East)	Mrs Sharkey	Ms Burke
Mrs Henderson	Mr Maclellan	Mr Smith	Mr Kilgour
Mr Honeywood	(Pakenham)	(Polwarth)	Mr Smith
Mr Jasper	Mr Maughan	Mr Steggall	(Glen Waverley)

NOES, 28

Mr Andrianopoulos	Ms Garbutt	Mr Micallef	Mrs Wilson
Mr Batchelor	Ms Gillett	Mr Mildenhall	
Mr Bracks	Mr Haermeyer	Mr Pandazopoulos	
Mr Brumby	Mr Hamilton	Mr Robinson	
Mr Carli	Mr Hulls	Mr Savage	Tellers
Mr Cunningham	Mr Leighton	Mr Seitz	Mr Cameron
Ms Davies	Mr Lim	Mr Sheehan	Mr Langdon
Mr Dollis	Mr Loney	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.

10 PAPERS -

Mrs Wade Presented by Command of His Excellency the Governor:

Supreme Court Judges - Report for the year 1997

County Court - Report for the year 1996-97

Council of Magistrates - Report for the year 1996-97.

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:

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

Ballarat Planning Scheme - No. L37

Berwick Planning Scheme - No. L118

Flinders Planning Scheme - No. L149

Hobsons Bay Planning Scheme - No. L10

Macedon Ranges Planning Scheme - No. L22

Mortlake Planning Scheme - No. L7

Victoria Law Foundation - Report for the year ended 30 September 1997.

- 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 4.58 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. 27, 28 and 29

No. 27 – Tuesday, 1 September 1998

- 1 The House met pursuant to the terms of the resolution of 15 May 1998, Mr Speaker having fixed this day at Two o'clock as the time of meeting - Mr Acting Speaker took the Chair and read the Prayer.
- 2 **RESIGNATION OF SEAT** - Mr Acting Speaker announced that on 8 July last, he had received the following letter:

8 July 1998

The Speaker
Legislative Assembly
Parliament House
Spring Street
MELBOURNE 3002

Dear Mr Speaker

I write to advise of my resignation from Parliament as of 9.00 a.m. on Wednesday, July 8th, 1998.

In many ways this decision would have been easy to make in the aftermath of the 1992 defeat. I believed however, it was important that some members of the Cain Kirner governments remain to defend the vision, achievements and plain decency of those governments. Furthermore I wished to contribute to the remaking of Labor's policy platform and believe the Financial Management, Industry Development and social justice document 'The Victoria Charter' provided a substantial basis for this on going process.

Since 1978 it has been my great privilege to serve the Australian Labor Party as candidate, adviser and Member of Parliament. I have held the portfolios of Housing and Construction, Finance and Treasury and during my time in office I was associated, sometimes in a modest way, at other times as sole architect with a wide range of policy initiatives. I note the current governments acknowledgment in recent Treasury papers that its own financial management reform program began with the Independent Review of Victoria's Public Sector Finances that I initiated in 1992. To this may well have been added the establishment of the Treasury Corporation of Victoria, the introduction of accrual accounting and the Public Sector Financial Management Act.

My greatest privilege however, has been to work with members of the Labor Party, and the wider Northcote community. Together we pioneered the first environmental employment scheme in Victoria, assisted in the development of many local education projects and created an electorate office that was a genuine community resource.

I would like to take this opportunity to extend my best wishes to all Members of Parliament. The privilege has been mine.

Yours sincerely,

Tony Sheehan MLA
Member for Northcote

- 3 **ISSUE OF AND RETURN TO WRIT** - Mr Acting Speaker announced that on 14 July 1998, Mr Speaker had issued a Writ for the election of a Member to serve for the Electoral District of Northcote in the place of the Honourable A. J. Sheehan, resigned; and that he had received a return to the said Writ by which it appeared that Mary Delahunty, had been duly elected for the Electoral District of Northcote, in pursuance of the said Writ.
- 4 **MEMBER SWORN** - Ms Delahunty, was then introduced and took and subscribed the Oath required by law.
- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 6 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Abortions - Late Term Partial Birth** - Seeking that Section 10 of the Crimes Act be amended to disallow the practice of late term partial birth abortions in Victoria, bearing 31 and 483 signatures (*by Mr Jenkins and Mr Smith, Glen Waverley respectively*)
 - Pedestrian Crossing - Dandenong Valley Highway, Bangholme** - Seeking that the House provide funding for a pedestrian crossing on the Dandenong Valley Highway at Bangholme, bearing 357 signatures (*by Mrs Wilson*)
 - Tullamarine Freeway Section - City Link Project** - Seeking that - (a) transparent noise attenuation barriers on the western side of the Tullamarine Freeway, along the edge of Ormond Park, the western edge of the Ormond Road on-ramp and the extension of the proposed Pattison Street noise barrier; and (b) landscaping of all of the borders of the Freeway, particularly on the margins of noise attenuation barriers, the Moonee Ponds Creek and the bicycle path, be included in the construction of the Tullamarine Freeway section of the City Link Project, bearing 152 signatures (*by Mrs Maddigan*)
 - Carrum Downs - Secondary College in** - Seeking that the Government construct a secondary college in Carrum Downs in the very near future, bearing 123 signatures (*by Mr Rowe*)
 - Carrum Downs - Cadles Road, Improvement to** - Seeking that action is taken to improve the condition of Cadles Road, Carrum Downs by having it properly constructed with a suitable area to facilitate a safe pickup and drop off point for primary school children at the new Carrum Downs Primary School, bearing 433 signatures (*by Mr Rowe*)
 - Golf View Hotel** - Seeking that the application of a 24 hour liquor licence and gaming application by the Golf View Hotel be rejected by the Liquor Licensing Commission, bearing 131 signatures (*by Mr Loney*)
 - Coach Service Bairnsdale to Sale** - Seeking that the coach service from Bairnsdale to Sale be retained as it is more convenient to the users than the use of the previous V/Line service, bearing 13 signatures (*by Mr Treasure*)

Irrigation in Gippsland - Seeking that - (a) an annual allocation of 60,000 megalitres of water from the Thomson River for irrigation use in Gippsland; (b) a drought reserve of 100,000 megalitres in the Thomson Reservoir; and (c) a capacity to influence the timing of the release of flows from the Thomson Reservoir to Gippsland be guaranteed in order to avoid the vulnerability of the Macalister Irrigation District to droughts, bearing 3,607 signatures (*by Mr Ryan*)

Mornington - Public Car Park - Seeking that inappropriate development does not take place in Mornington and that the public car park, bounded by McLaren Place, Barkly Street, Railway Grove and Blake Street, is not sold or swapped for private development and is immediately re-zoned back to car park, bearing 5,713 signatures (*by Mr Cooper*)

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 7 signatures (*by Mrs Campbell*)

Dental Surgery/Medicine - Seeking that - (a) dental surgery or medicine be regulated to ensure that only qualified and registered dental operatives be allowed to practise; and (b) restrictions on who may own dental practices be maintained, bearing 27,096 signatures (*by Mr McGrath, Warrnambool*)

Public Housing Rent Increase Reversal - Seeking that the increase in rent for public housing be reversed so that the rental payable to the Ministry of Housing reverts to less than 20% of household income, bearing 11 signatures (*by Mr Bracks*).

Severally ordered to lie on the Table.

- 7 **PETITION - MORNINGTON - PUBLIC CAR PARK** - Motion made, by leave, and question - That the petition presented by the Member for Mornington relating to the Mornington Public Car Park be taken into consideration forthwith (*Mr Dollis*) - put and agreed to.

Motion made and question - That the House take note of the petition - put, after debate, and agreed to.

8 **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 1998 on the -

Livestock Disease Control (Amendment) Bill
 Transfer of Land (Single Register) Bill
 International Transfer of Prisoners (Victoria) Bill
 Melbourne and Olympic Parks (Amendment) Bill
 State Taxation (Amendment) Bill
 Catchment and Land Protection (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 upon Redundant and Unclear Legislation concerning the Review of the **Carriers and Innkeepers Act 1958**, together with an Appendix and Minutes of Evidence.

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

PAPERS PURSUANT TO STATUTE -

Mr Acting Speaker presented -

BLF (De-recognition) Act 1985 - Thirty-ninth and Fortieth Reports of the Custodian

Severally ordered to be printed.

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 Geelong

Environment Conservation Council Act 1997 -

Notice of amendment of request to the Environment Conservation Council to carry out an investigation of Victoria's Box-Ironbark Forests and Woodland Areas

Notice of amendment of request to the Environment Conservation Council to carry out an investigation of Victoria's Marine, Coastal and Estuarine Areas

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

Interpretation of Legislation Act 1984 - Notices under section 32(3)(a)(iii) in relation to Statutory Rule Nos. 24/1998, 80/1998

Melbourne and Olympic Parks Trust - Report for the year 1996-97, together with an explanation for the delay in tabling

Melbourne University - Report for the year 1997, together with an explanation for the delay in tabling

Murray-Darling Basin Act 1993 - Schedules D and E to the Murray Darling Basin Agreement pursuant to Section 28(b)

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

Alexandra Planning Scheme - No. L43

All Planning Schemes - Nos. S64, S70

Alpine Resorts Planning Scheme - No. VC2

Ararat Planning Scheme - No. SR182

Ballarat Planning Scheme - Nos. L25, L40, L41, SR182

Banyule Planning Scheme - Nos. L12, L16, L17, L18

Bayside Planning Scheme - Nos. L9, L12, L13

Belfast Planning Scheme - No. L16

Berwick Planning Scheme - Nos. L117, L129, L130, L135

Boroondara Planning Scheme - Nos. L34, RL184, SR182

Brimbank Planning Scheme - Nos. L45, L54

Buloke Planning Scheme - Nos. L5, SR182

Campaspe Planning Scheme - Nos. L19, SR182

Central Goldfields Planning Scheme - No. SR182

Colac Otway Planning Scheme - Nos. L12, L13, SR182

Corangamite Planning Scheme - No. SR182

Cranbourne Planning Scheme - Nos. L189, L191, L226

Delatite Planning Scheme - No. SR182

Doncaster and Templestowe Planning Scheme - Nos. L130, L136

Euroa Planning Scheme - No. SR182

Flinders Planning Scheme - No. L180

Frankston Planning Scheme - No. L120

Glen Eira Planning Scheme - No. L27

Glenelg Planning Scheme - No. SR182
Golden Plains Planning Scheme - No. L10
Goulburn Planning Scheme - No. L28
Greater Bendigo Planning Scheme - No. L74
Greater Dandenong Planning Scheme - Nos. L13, L19
Greater Geelong Planning Scheme - Nos. L170, L222, L223, R220, RL184, RL202, SR182
Hastings Planning Scheme - Nos. L117, L125, L127
Hepburn Planning Scheme - No. L4
Hobsons Bay Planning Scheme - Nos. L6, SR182
Horsham Planning Scheme - No. L12
Hume Planning Scheme - Nos. L14, L42, L46, L51, RL184, SR182
Indigo Planning Scheme - No. SR182
Kingston Planning Scheme - No. L37
Knox Planning Scheme - Nos. L160, L168, L170
Lowan Planning Scheme - No. L17
Macedon Ranges Planning Scheme - No. SR182
Maribyrnong Planning Scheme - Nos. L33, L35
Maroondah Planning Scheme - Nos. L22, L23
Melbourne Planning Scheme - Nos. L249, L261, L303, L312, L318, L321, RL183, SR182
Melton Planning Scheme - Nos. L75 Part 2, L84, L95, L98, SR182
Metcalf Planning Scheme - No. L8
Metropolitan Region Planning Schemes - No. RL183
Mitchell Planning Scheme - No. SR182
Moir Planning Scheme - No. L20
Monash Planning Scheme - Nos. L11, L34, L44, L46
Moonee Valley Planning Scheme - Nos. L37, SR182
Moreland Planning Scheme - Nos. L28, L52, L56, L57
Mornington Planning Scheme - No. L92
Mortlake Planning Scheme - No. SR182
Morwell Planning Scheme - No. L63
Moyne Planning Scheme - No. SR182
Narracan Planning Scheme - No. L63
Nillumbik Planning Scheme - Nos. L3, L12
Northern Grampians Planning Scheme - No. SR182
Orbost Planning Scheme - No. L28
Pakenham Planning Scheme - Nos. L119, L154, L155, L162
Port of Melbourne Planning Scheme - No. L29
Port Phillip Planning Scheme - Nos. L65, SR182
Rosedale Planning Scheme - No. L50
Sale Planning Scheme - No. SR182
Shepparton Shire Planning Scheme - No. SR182
Sherbrooke Planning Scheme - Nos. L109, L131
Southern Grampians Planning Scheme - No. SR182
Stawell (Shire) Planning Scheme - No. L24
Stonnington Planning Scheme - Nos. L34, L35, L40 Part A, L41, L57, L58, L63, L64, L80, SR182
Surf Coast Planning Scheme - Nos. R44, R52
Traralgon (City) Planning Scheme - No. L74
Traralgon (Shire) Planning Scheme - No. L57
Victoria Planning Provisions - Nos. V2, VC2
Violet Town Planning Scheme - No. L6

Warrnambool Planning Scheme - Nos. L29, SR182
 Warrnambool Shire Planning Scheme - No. SR182
 Werribee Planning Scheme - Nos. L116, L124, L129, L130
 Whitehorse Planning Scheme - Nos. L23, L34
 Whittlesea Planning Scheme - Nos. L156, L160, L161, L162, L163, L164, RL184, SR182
 Wodonga Rural City Planning Scheme - No. L21
 Woorayl Planning Scheme - Nos. L58, L59
 Yarra Planning Scheme - Nos. L47, L50, L51, L68, L69, L76, RL183, SR182
 Yarra Ranges Planning Scheme - Nos. L83, L93, L94, L95

Prevention of Cruelty to Animals Act 1986 -

Revocation of the Code of Practice for the Housing of Caged Birds

Code of Practice for the Housing of Caged Birds (Revision No. 1)

Public Sector Management and Employment Act 1998 - Directions by the Commissioner for Public Employment pursuant to sections 37 and 39 (*Government Gazette S68 1 July 1998*) (six papers)

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

South Eastern Regional Waste Management Group - Financial Statements for the year 1996-97

Statutory Rules under the following Acts:

Accident Compensation Act 1985 - S.R. No. 88
 Accident Compensation (WorkCover Insurance) Act 1993 - S.R. No. 88
 Associations Incorporation Act 1981 - S.R. No. 103
 Audit Act 1994 - S.R. No. 64
 Building Act 1993 - S.R. No. 80
 Cemeteries Act 1958 - S.R. Nos. 96, 98
 Children's Services Act 1996 - S.R. No. 59
 Confiscation Act 1997 - S.R. No. 67
 Control of Weapons Act 1990 - S.R. No. 105
 Corrections Act 1986 - S.R. No. 52
 County Court Act 1958 - S.R. Nos. 85, 102
 Court Security Act 1980 - S.R. No. 101
 Debits Tax Act 1990 - S.R. No. 84
 Environment Protection Act 1970 - S.R. No. 95
 Evidence Act 1958 - S.R. No. 70
 Financial Institutions Duty Act 1982 - S.R. No. 90
 Financial Management Act 1994 - S.R. No. 77
 Firearms Act 1996 - S.R. No. 89
 Forests Act 1958 - S.R. No. 53
 Health Act 1958 - S.R. No. 57
 Interpretation of Legislation Act 1984 - S.R. No. 92
 Introduction Agents Act 1997 - S.R. No. 75
 Land Tax Act 1958 - S.R. No. 63
 Magistrates' Court Act 1989 - S.R. Nos. 68, 92
 Motor Car Traders Act 1986 - S.R. No. 56
 National Parks Act 1975 - S.R. No. 54
 Patriotic Funds Act 1958 - S.R. No. 91
 Physiotherapists Act 1978 - S.R. No. 62
 Residential Tenancies Act 1997 - S.R. Nos. 76, 79
 Retail Tenancies Reform Act 1998 - S.R. No. 82

Retirement Villages Act 1986 - S.R. No. 55
 Road Safety Act 1986 - S.R. Nos. 58, 65, 81, 104
 Rural Finance Act 1988 - S.R. No. 83
 State Electricity Commission Act 1958 - S.R. No. 99
 State Superannuation Act 1988 - S.R. No. 78
 Subordinate Legislation Act 1994 - S.R. Nos. 61, 69, 97
 Supreme Court Act 1986 - S.R. Nos. 60, 71, 72, 100
 Transport Accident Act 1986 - S.R. No. 66
 Transport Act 1983 - S.R. No. 86
 Victorian Civil and Administrative Tribunal Act 1998 - S.R. Nos. 87, 93
 Water Act 1989 - S.R. No. 94
 Water Industry Act 1994 - S.R. No. 73
 Zoological Parks and Gardens Act 1995 - S.R. No. 74

Subordinate Legislation Act 1994 -

Ministers' exception certificates in relation to Statutory Rule Nos. 54, 60, 68, 69, 71, 72, 74, 85, 87, 92, 93, 97, 100, 102

Ministers' exemption certificates in relation to Statutory Rule Nos. 53, 55, 57, 62, 66, 70, 73, 78, 79, 83, 84, 86, 88, 90, 94, 96, 98, 101

Tertiary Education Act 1993 - Order pursuant to section 10.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 17 February 1998:

Accident Compensation (Further Amendment) Act 1996 - Sections 21 and 32 on 1 July 1998 (*Gazette No. G25, 25 June 1998*). Section 23 on 13 July 1998 (*Gazette No. G27, 9 July 1998*)

Ambulance Services (Amendment) Act 1998 - Sections 6(1), 6(2) (except for paragraphs (a) and (c) to (f)), 7(1), 8, 9, 10 and 14(2) on 30 June 1998 (*Gazette No. G25, 25 June 1998*)

Building (Amendment) Act 1998 - Section 12 on 20 July 1998 (*Gazette No. G28, 16 July 1998*)

Business Licensing Authority Act 1998 - Remaining provisions on 1 July 1998 (*Gazette No. G24, 18 June 1998*)

Children's Services Act 1996 - Remaining provisions on 1 June 1998 (*Gazette No. G21, 28 May 1998*)

Confiscation Act 1997 - Remaining provisions on 1 July 1998 (*Gazette No. G25, 25 June 1998*)

Crimes (Sexual Offences) Act 1991 - Section 9 on 1 July 1998 (*Gazette No. G25, 25 June 1998*)

Docklands Authority Act 1991 - Section 31 on 20 July 1998 (*Gazette No. G28, 16 July 1998*)

Drugs, Poisons and Controlled Substances (Amendment) Act 1997 - Sections 5 and 6 on 1 October 1998 (*Gazette No. G32, 13 August 1998*)

Firearms (Amendment) Act 1998 - Remaining provisions (except for paragraphs (c), (e) and (g) of section 40) on 6 August 1998 (*Gazette No. G27, 9 July 1998*)

Gaming Acts (Miscellaneous Amendment) Act 1997 - Section 20 on 30 June 1998 (*Gazette No. G25, 25 June 1998*). Remaining provisions (except section 33) on 31 August 1998 (*Gazette No. G34, 27 August 1998*)

- Land (Reservations and Other Matters) Act 1997 - Section 6 and item 4 of Schedule 1; and section 16, item 16 of Schedule 1 and Schedule 10 on 12 August 1998 (*Gazette No. G31, 6 August 1998*)
- Motor Car Traders (Amendment) Act 1996 - Section 13(2) and the remaining provisions on 22 June 1998 (*Gazette No. G21, 28 May 1998*)
- Parks Victoria Act 1998 - Remaining provisions on 3 July 1998 (*Gazette No. G26, 2 July 1998*)
- Property Law (Amendment) Act 1998 - Remaining provisions on 29 June 1998 (*Gazette No. G25, 25 June 1998*)
- Public Sector Management and Employment Act 1998 - Remaining provisions on 1 July 1998 (*Gazette No. G25, 25 June 1998*)
- Rail Corporations (Amendment) Act 1997 - Sections 25, 40 and 57; the remaining provisions of Division 2 of Part 2; and Divisions 3 and 8 of Part 2 on 11 June 1998 (*Gazette No. G23, 11 June 1998*)
- Rail Corporations (Amendment) Act 1998 - Part 2 (except sections 10, 13 and 14) on 11 June 1998 (*Gazette No. G23, 11 June 1998*)
- Residential Tenancies Act 1997 - Remaining provisions on 1 July 1998 (*Gazette No. G24, 18 June 1998*)
- Retail Tenancies Reform Act 1998 - Remaining provisions on 1 July 1998 (*Gazette No. G24, 18 June 1998*)
- Sentencing and Other Acts (Amendment) Act 1997 - Section 43 on 11 June 1998 (*Gazette No. G23, 11 June 1998*)
- State Taxation (Amendment) Act 1998 - Section 10 on 1 July 1998 (*Gazette No. G24, 18 June 1998*). Section 3 on 21 July 1998 (*Gazette No. S74, 21 July 1998*)
- State Trustees (Amendment) Act 1998 - Section 10 on 1 July 1998 (*Gazette No. G24, 18 June 1998*)
- Tribunals and Licensing Authorities (Miscellaneous Amendments) Act 1998 - Remaining provisions except section 244(2) and item 109 of Schedule 1 on 1 July 1998 (*Gazette No. G24, 18 June 1998*)
- Victorian Civil and Administrative Tribunal Act 1998 - Remaining provisions on 1 July 1998 (*Gazette No. G24, 18 June 1998*)
- Victorian Plantations Corporation (Amendment) Act 1998 - Sections 5 and 11 on 25 June 1998 and remaining provisions on 26 June 1998 (*Gazette No. G25, 25 June 1998*)
- Wills Act 1997 - Remaining provisions on 20 July 1998 (*Gazette No. G28, 16 July 1998*).

9 PRESENTATION OF ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR - Mr Acting Speaker reported that, as directed by the House, Mr Speaker had, on 20 May 1998, 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.

JAMES GOBBO
Governor of Victoria

Melbourne 20 May 1998

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

Melbourne City Link (Exhibition Street Extension) Bill
State Taxation (Amendment) Bill
Land Tax (Amendment) Bill
Ambulance Services (Amendment) Bill
Parks Victoria Bill
Catchment and Land Protection (Amendment) Bill
Miscellaneous Acts (Omnibus No. 1) Bill
Gas Industry (Amendment) Bill
Victorian Civil and Administrative Tribunal Bill
Business Licensing Authority Bill
Tribunals and Licensing Authorities (Miscellaneous Amendments) Bill
Public Sector Reform (Miscellaneous Amendments) Bill
Public Sector Management and Employment Bill.

11 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS - Informing the Assembly that he had, on 19 May 1998, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:**

Agriculture Acts (Amendment) Bill
Dried Fruits (Repeal) Bill
Education (Self-Governing Schools) Bill
Gaming Acts (Amendment) Bill
Gaming No. 2 (Amendment) Bill
Gas Pipelines Access (Victoria) Bill
Heritage Rivers (Amendment) Bill
Local Government (Darebin City Council) Bill
Transport Accident (Amendment) Bill
Victorian Plantations Corporation (Amendment) Bill.

12 **APPROPRIATION (1998/99) BILL - APPROPRIATION (PARLIAMENT 1998/99) BILL - Mr Acting Speaker announced that Mr Speaker had, on 20 May 1998, presented to His Excellency the Governor the Appropriation (1998/99) Bill and the Appropriation (Parliament 1998/99) Bill to which His Excellency had been pleased to give the Royal Assent.**

13 **MESSAGES FROM HER EXCELLENCY THE LIEUTENANT GOVERNOR - ASSENT TO BILLS - Informing the Assembly that she had given the Royal Assent to the following Bills, presented to her by the Clerk of the Parliaments:**

On 26 May 1998

Ambulance Services (Amendment) Bill
Catchment and Land Protection (Amendment) Bill
Gas Industry (Amendment) Bill
Land Tax (Amendment) Bill
Melbourne and Olympic Parks (Amendment) Bill

Miscellaneous Acts (Omnibus No. 1) Bill
 Parks Victoria Bill
 Public Sector Management and Employment Bill
 Public Sector Reform (Miscellaneous Amendments) Bill
 Rail Corporations (Amendment) Bill
 State Taxation (Amendment) Bill

On 2 June 1998

Business Licensing Authority Bill
 Melbourne City Link (Exhibition Street Extension) Bill
 St George Bank and Advance Bank Australia Bill
 Tribunals and Licensing Authorities (Miscellaneous Amendments) Bill
 Victorian Civil and Administrative Tribunal Bill.

- 14 **TELEVISIONING AND BROADCASTING OF PROCEEDINGS** – Motion made, by leave, and question – That until 30 June 1999 inclusive, the resolution authorising the televising and broadcasting of proceedings in the Legislative Assembly agreed to by the House on 18 February 1998 be amended by the omission of paragraphs 1(b)(i) and 1(d)(i) (*Mr Gude*) – put, after debate, and agreed to.
- 15 **SESSIONAL ORDERS** – Motion made, by leave, and question – That after Sessional Order 6, insert the following Sessional Order:
- “7.(1) From the date of the adoption of this Sessional Order, where a person who has been referred to by name, or in such a way as to be readily identified in the House or in the Committee of the Whole House, makes a submission in writing to the Speaker -
- (a) claiming that the person has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that the person’s privacy has been unreasonably invaded, by reason of that reference to the person; and
 - (b) requesting that the person be able to incorporate an appropriate response in the parliamentary record -
- and if the Speaker is satisfied -
- (c) that the subject of the submission is not so obviously trivial, or the submission so frivolous, vexatious or offensive in character as to make it inappropriate that it be considered by the Privileges Committee; and
 - (d) that it is practicable for the Committee to consider the submission under this Sessional Order -
- the Speaker shall refer the submission to that Committee.
- (2) The Committee may decide not to consider a submission referred to it under this Sessional Order if the Committee considers that the subject of the submission is not sufficiently serious or the submission is frivolous, vexatious or offensive in character, and such a decision shall be reported to the House.
 - (3) If the Committee decides to consider a submission under this Sessional Order, the Committee may confer with the person who made the submission and any Member who referred in the House to that person.
 - (4) In considering a submission under this Sessional Order, the Committee shall meet in private session.
 - (5) The Committee shall not publish a submission referred to it under this Sessional Order or its proceedings in relation to such a submission, but may present minutes of its proceedings and all or part of such submission to the House.

- (6) In considering a submission under this Sessional Order and reporting to the House the Committee shall not consider or judge the truth or any statements made in the House or Committee of the Whole House or of the submission.
- (7) In its report to the House on a submission under this Sessional Order, the Committee may make either of the following recommendations -
 - (a) that no further action be taken by the House or by the Committee in relation to the submission; or
 - (b) that a response by the person who made the submission, in terms specified in the report and agreed to by the person and the Committee, be published by the House or incorporated in Hansard -
 and shall not make any other recommendations.
- (8) A document presented to the House under paragraph (5) or (7) -
 - (a) in the case of a response by a person who made a submission, shall be succinct and strictly relevant to the questions in issue and shall not contain anything offensive in character; and
 - (b) shall not contain any matter the publication of which would have the effect of -
 - (i) unreasonably adversely affecting or injuring a person, or unreasonably invading a person's privacy, in the manner referred to in paragraph (1); or
 - (ii) unreasonably adding to or aggravating any such adverse effect, injury or invasion of privacy suffered by a person.
- (9) The Committee may agree to guidelines and procedures, not inconsistent with this Sessional Order, to apply to the consideration by it of submissions."

(Mr Gude) – put, after debate, and agreed to.

- 16 **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, 3 September 1998:

- Local Government (Amendment) Bill
- Road Safety (Driving Instructors) Bill
- Land (Revocation of Reservations) Bill
- National Parks (Amendment) Bill
- Printers and Newspapers (Repeal) Bill
- Classification (Publications, Films and Computer Games) (Enforcement) (Amendment) Bill
- Physiotherapists Registration Bill
- Road Safety (Amendment) Bill
- Fundraising Appeals Bill

(Mr Gude) – put and agreed to.

- 17 **LOCAL GOVERNMENT (AMENDMENT) BILL** – Order read for resuming debate on question – That this Bill be now read a second time.

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

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.

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.

- 18 **WARRANT TO SWEAR IN MEMBERS** – Mr Acting Speaker advised the House that, due to the absence of the Speaker, there is some doubt whether the Acting Speaker, has the power to swear in a new Member without being specifically authorised by His Excellency the Governor, pursuant to section 23 of the *Constitution Act 1975*.

Mr Acting Speaker advised the House that he had now received from His Excellency the Governor, a Commission to administer the Oath or Affirmation to Members.

BY HIS EXCELLENCY THE HONOURABLE SIR JAMES GOBBO, AC
GOVERNOR OF VICTORIA

TO JOHN FRANCIS McGRATH, DEPUTY 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 1 September 1998.

(L. S.)

JAMES GOBBO
Governor

By His Excellency's Command,

J. G. KENNETT
Premier

Mr Acting Speaker announced that in order not to cast into doubt the ability of the Member for Northcote to sit and vote in this House, he would ask her to come forward and take the Oath again.

- 19 **MEMBER SWORN** – Ms Delahunty then took and subscribed the Oath required by law.
- 20 **LOCAL GOVERNMENT (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 Batchelor*) - put and agreed to.
- Ordered - That the debate be adjourned until later this day.
- 21 **ROAD SAFETY (DRIVING INSTRUCTORS) 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.
- Motion made and question - That the debate be now adjourned (*Mr Treasure*) - put and agreed to.
- Ordered - That the debate be adjourned until tomorrow.

- 22 **LAND (REVOCAION 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.

- 23 **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 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 Gude*) - put and agreed to.

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 Bill be withdrawn and redrafted to provide protection for national parks under the **National Parks Act 1975** from the dangers of commercial exploitation" (*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	Mr Maughan	Mr Spry
Mr Ashley	Mr Lean	Dr Naphthine	Mr Steggall
Mr Coleman	Mr Leigh	Mr Paterson	Mrs Tehan
Dr Dean	Mr Lupton	Mr Perrin	Mr Traynor
Mr Dixon	Mr McArthur	Mr Perton	Mr Treasure
Mr Doyle	Ms McCall	Mrs Peulich	Mrs Wade
Mr Elder	Mrs McGill	Mr Phillips	Mr Wells
Mrs Elliott	Mr McGrath	Mr Plowman	
Mr Finn	(<i>Wimmera</i>)	(<i>Benambra</i>)	
Mr Gude	Mr McLellan	Mr Reynolds	<i>Tellers</i>
Mr Honeywood	(<i>Frankston East</i>)	Mr Rowe	Ms Burke
Mr Jasper	Mr McNamara	Mr Ryan	Mr Kilgour
Mr Jenkins	Mr Maclellan	Mr Smith	Mr Smith
Mr John	(<i>Pakenham</i>)	(<i>Polwarth</i>)	(<i>Glen Waverley</i>)

NOES, 28

Mr Andrianopoulos	Ms Davies	Ms Kosky	Mr Thwaites
Mr Baker	Ms Delahunty	Mr Leighton	
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 Pandazopoulos	Mr Cameron
Mr Carli	Mr Hamilton	Mr Savage	Mr Langdon
Mr Cole	Mr Hulls	Mr Seitz	Mr Robinson

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.

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

And the House having continued to sit after 12 midnight -

WEDNESDAY, 2 SEPTEMBER 1998

Question - put and agreed to.

And the House, at 12.05 a.m., adjourned until later this day.

P. J. MITHEN
Clerk of the Legislative Assembly

J. F. McGRATH
Acting Speaker

No. 28 – Wednesday, 2 September 1998

- 1 Mr Acting Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Abortions - Late Term Partial Birth** - Seeking that Section 10 of the Crimes Act be amended to disallow the practice of late term partial birth abortions in Victoria, bearing 119 and 1,932 signatures (*by Mr Traynor and Mr Savage, respectively*)
- Wedderburn Sewerage** - Seeking that no sewerage system be installed in the town of Wedderburn, bearing 396 signatures (*by Ms Garbutt*)
- Severally ordered to lie on the Table.

- 3 **PETITION - WEDDERBURN SEWERAGE** - Motion made and question - That the petition presented by the Member for Bundoora relating to Wedderburn Sewerage be taken into consideration tomorrow (*Mr Cameron*) - 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:
 - Financial Management Act 1994 – Report from the Minister for Health that he had received the 1997 Annual Report of the Psychologists Registration Board
 - Keilor Cemetery Trust – Reports for the period 1 July 1995 to 31 December 1996 and 1 January 1997 to 31 December 1997 (two papers).
- 5 **SYSTEMATIC CORRUPTION IN QUEENSLAND** - Motion made and question proposed - That this House notes the Fitzgerald report into corruption in Queensland and condemns the Government for not learning any lessons from the systematic corruption that flowed as a result of the anti-democratic regime of Bjelke Peterson and demands that action be taken to stop such corruption becoming entrenched in Victoria (*Mr Hulls*) - 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 **ARTS ACTS (AMENDMENT) BILL** - Mr Kennett obtained leave, with Mr McNamara, to bring in a Bill "*to amend the Libraries Act 1988 and the National Gallery of Victoria 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.
- 8 **MUTUAL RECOGNITION (VICTORIA) BILL** - Mr Kennett obtained leave, with Mr McNamara, to bring in a Bill "*to continue the adoption of the Mutual Recognition Act 1992 of the Commonwealth, to amend the Trans-Tasman Mutual Recognition (Victoria) Act 1998 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.
- 9 **PETROLEUM BILL** - Mr McNamara obtained leave, with Mr Gude, to bring in a Bill "*to repeal and re-enact, with amendments, the Petroleum 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.
- 10 **VICTORIAN INSTITUTE OF MARINE SCIENCES (REPEAL) BILL** - Mr McNamara obtained leave, with Mr Gude, to bring in a Bill "*to repeal the Victorian Institute of Marine Sciences Act 1974 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **PLANNING AND ENVIRONMENT (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr Gude, to bring in a Bill "*to amend the Planning and Environment Act 1987, the Environment Effects Act 1978 and the Planning and Environment (Planning Schemes) 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 **CONSUMER CREDIT (FINANCE BROKERS) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to repeal the Finance Brokers Act 1969, to amend the Consumer Credit (Victoria) Act 1995 so as to prohibit certain persons from engaging or being involved in finance broking, to empower the Business Licensing Authority to permit certain persons to engage in finance broking and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **LEGAL PRACTICE (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Legal Practice Act 1996 with respect to professional indemnity insurance and other matters and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **LAND (FURTHER REVOCATION OF RESERVATIONS) BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to provide for the revocation of reservations over certain areas of land, to repeal the Bendigo (Dai Gum San Village) Land Act 1975 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **CONSERVATION, FORESTS AND LANDS (MISCELLANEOUS AMENDMENTS) BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to amend the Conservation, Forests and Lands Act 1987 and other Acts to amend references to the Secretary to the Department of Natural Resources and Environment, to amend the Coastal Management Act 1995, the Crown Land (Reserves) Act 1978 and the Parks Victoria Act 1998 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 (FURTHER AMENDMENT) BILL** - Dr Napthine 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 **VICTORIAN COLLEGE OF THE ARTS (AMENDMENT) BILL** - Mr Honeywood, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Victorian College of the Arts 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.
- 18 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos 1 and 2, be postponed until later this day.
- 19 **PHYSIOTHERAPISTS 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.
- 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 **PRINTERS AND NEWSPAPERS (REPEAL) 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 **CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (ENFORCEMENT) (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.
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.
- 22 **ROAD SAFETY (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
Pursuant to Sessional Orders, Mr Cooper 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.
- 23 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 5 be postponed until later this day.
- 24 **LOCAL GOVERNMENT (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, 49

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

*NOES, 22

Mr Andrianopoulos	Ms Davies	Ms Kosky	Mrs Wilson
Mr Batchelor	Ms Delahunty	Mr Leighton	
Mr Bracks	Mr Dollis	Mr Lim	Tellers
Mr Brumby	Ms Gillett	Mr Robinson	Mr Cameron
Mr Carli	Mr Haermeyer	Mr Savage	Mr Langdon
Mr Cole	Mr Hamilton	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.

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

- 25 **ADJOURNMENT** - Mr Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.07 p.m.

P. J. MITHEN
Clerk of the Legislative Assembly

J.F. McGRATH
Acting Speaker

No. 29 – Thursday, 3 September 1998

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

Community Health Service – Deer Park - Seeking that – (a) changes to the Community Health Service in Station Road, Deer Park by the Board and Management of ISIS should not be implemented without full consultation with the community and staff; and (b) the community's consent be required for any changes given that the Deer Park community built the service, bearing 1,192 and 1,018 signatures (*by Mr Thuwaites and Mr Cunningham, respectively*)

Westgate Freeway - Noise Attenuation Barriers - Seeking that the Government makes a commitment to ensure the construction of adequate noise attenuation barriers along residential sections of the Westgate Freeway equivalent to the standards established along the South Eastern and Eastern Freeways, bearing 862 signatures (*by Ms Kosky*)

Corryong Multi Purpose Service - Seeking that the theatre at Corryong Multi Purpose Service is re-instated and upgraded immediately to its capability prior to November 1997, to enable general anaesthetic procedures to be recommenced, bearing 902 signatures (*by Mr Plowman, Benambra*)

Bass Coast Council - Special Charge Scheme - Seeking that the Special Charge Scheme by the Bass Coast Council Wonthaggi be repealed from the Local Government Act, bearing 385 signatures (*by Ms Davies*)

Pedestrian Crossing - Heidelberg - Seeking that the previous commitments made by the Government to install a pedestrian crossing in Lower Heidelberg Road, Heidelberg between Banksia Street and the cutting be honoured and that the crossing be installed, bearing 204 signatures (*by Mr Langdon*)

Drug Rehabilitation Centre - Heidelberg - Seeking that the Government stop building the drug rehabilitation centre at the corner of Edwin and Banksia Streets, Heidelberg and locate the centre within the new hospital complex in Epping, bearing 241 signatures (*by Mr Langdon*)

Croydon Police Station - Seeking that the decision to cut police funding to the Croydon Police Station be reviewed, bearing 4,696 signatures (*by Mrs Elliott*)

Severally ordered to lie on the Table.

- 3 **PETITION - WESTGATE FREEWAY - NOISE ATTENUATION BARRIERS** - Motion made and question - That the petition presented by the Member for Altona relating to the noise attenuation barriers – Westgate Freeway be taken into consideration tomorrow (*Ms Kosky*) - put and agreed to.
- 4 **PETITION – BASS COAST COUNCIL - SPECIAL CHARGE SCHEME** - Motion made and question - That the petition presented by the Member for Gippsland West relating to the special charge scheme by the Basscoast Council Wonthaggi be taken into consideration tomorrow (*Ms Davies*) - put and agreed to.
- 5 **PETITION - PEDESTRIAN CROSSING - HEIDELBERG** - Motion made and question - That the petition presented by the Member for Ivanhoe relating to a pedestrian crossing in Lower Heidelberg Road, Heidelberg be taken into consideration tomorrow (*Mr Langdon*) - put and agreed to.

- 6 **PETITION - COMMUNITY HEALTH SERVICE – DEER PARK** - Motion made and question - That the petition presented by the Member for Melton relating to the Community Health Service, Deer Park be taken into consideration tomorrow (*Mr Cunningham*) - put and agreed to.
- 7 **PAPER PURSUANT TO STATUTE** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
 Judicial Remuneration Tribunal Act 1995 - Statement 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, 31 March 1998.
- 8 **MEMBERSHIP OF JOINT INVESTIGATORY COMMITTEES** – Motion made, by leave, and question – That -
- (a) Mr Loney and Mr Thwaites be discharged from attendance on the Law Reform Committee and that Mr Robinson and Ms Delahunty be appointed in their stead;
 - (b) Mr Loney be appointed a Member of the Public Accounts and Estimates Committee; and
 - (c) Mr McLellan (*Frankston East*) be discharged from attendance on the Road Safety Committee and that Mr Dixon be appointed in his stead.
- (*Mr Gude*) – put and agreed to.
- 9 **ERROR IN DIVISION LIST** - Mr Acting Speaker informed the House that, in the division which took place in the House on Wednesday, 2 September 1998 on the Local Government (Amendment) Bill the tellers for the "Noes" inadvertently recorded the name of the Honourable Member for Bundoora, Ms Garbutt, instead of that of the Honourable Member for Mildura, Mr Savage.
 Mr Acting Speaker then directed the Clerk to correct the Division List accordingly.
- 10 **SITTING OF THE HOUSE** - Motion made and question proposed - That the House, at its rising, adjourn until Tuesday, 6 October 1998 (*Mr Gude*) – and, after debate –
 Motion made and question – That the question be now put (*Mr Coleman*) – put.

The House divided.

AYES, 48

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

NOES, 33

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mr Savage
Mr Baker	Ms Delahunty	Mr Lim	Mr Seitz
Mr Batchelor	Mr Dollis	Mr Loney	Mr Thwaites
Mr Bracks	Ms Garbutt	Mr McLellan	Mrs Wilson
Mr Brumby	Ms Gillett	(Frankston East)	
Mrs Campbell	Mr Haermeyer	Mr Micallef	Tellers
Mr Carli	Mr Hamilton	Mr Mildenhall	Mr Cameron
Mr Cole	Mr Hulls	Mr Pandazopoulos	Mr Langdon
Mr Cunningham	Ms Kosky	Mr Robinson	Mrs Maddigan

And so it was resolved in the affirmative.

Original question – put.

The House divided.

AYES, 49

Mr Andrighetto	Mr John	Mr Perton	Mr Thompson
Mr Ashley	Mr Leigh	Mrs Peulich	Mr Traynor
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 McNamara	Mr Ryan	
Mr Finn	Mr Maclellan	Ms Shardey	
Mr Gude	(Pakenham)	Mr Smith	
Mrs Henderson	Mr Maughan	(Polwarth)	Tellers
Mr Honeywood	Dr Napthine	Mr Spry	Ms Burke
Mr Jasper	Mr Paterson	Mr Steggall	Mr Kilgour
Mr Jenkins	Mr Perrin	Mrs Tehan	Mr Smith
			(Glen Waverley)

NOES, 33

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mr Savage
Mr Baker	Ms Delahunty	Mr Lim	Mr Seitz
Mr Batchelor	Mr Dollis	Mr Loney	Mr Thwaites
Mr Bracks	Ms Garbutt	Mr McLellan	Mrs Wilson
Mr Brumby	Ms Gillett	(Frankston East)	
Mrs Campbell	Mr Haermeyer	Mr Micallef	<i>Tellers</i>
Mr Carli	Mr Hamilton	Mr Mildenhall	Mr Cameron
Mr Cole	Mr Hulls	Mr Pandazopoulos	Mr Langdon
Mr Cunningham	Ms Kosky	Mr Robinson	Mrs Maddigan

And so it was resolved in the affirmative.

Ordered – That the House, at its rising, adjourn until Tuesday, 6 October 1998.

- 11 **PHYSIOTHERAPISTS REGISTRATION BILL – CLERK'S CORRECTION** – Mr Acting Speaker announced that he had received a report from the Clerk that he had made the following correction in this Bill:

In Clause 67, sub-clause (1), he had inserted the word "**Management**", after the word "**Sector**".

- 12 **FUNDRAISING APPEALS 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.

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

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

- 14 **FUNDRAISING APPEALS BILL** - Debate continued 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 **ROAD SAFETY (DRIVING INSTRUCTORS) 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, 1 September 1998 had expired.

Bill read a second time.

Question - 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.

- 16 **LOCAL GOVERNMENT (AMENDMENT) BILL** – Question – That the Government amendment 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 Kennett	Mr Paterson	Mr Stockdale
Mr Ashley	Mr Lean	Mr Perrin	Mrs Tehan
Mr Clark	Mr Leigh	Mr Perton	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	
Mrs Elliott	(Wimmera)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(Frankston East)	Mr Ryan	<i>Tellers</i>
Mrs Henderson	Mr McNamara	Ms 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)
Mr John	Dr Napthine	Mr Steggall	

NOES, 29

Mr Andrianopoulos	Ms Davies	Ms Kosky	Mr Thwaites
Mr Baker	Ms Delahunty	Mr Leighton	Mrs Wilson
Mr Batchelor	Mr Dollis	Mr Lim	
Mr Bracks	Ms Garbutt	Mr Loney	
Mr Brumby	Ms Gillett	Mr Micallef	<i>Tellers</i>
Mrs Campbell	Mr Haermeyer	Mr Mildenhall	Mr Cameron
Mr Carli	Mr Hamilton	Mr Robinson	Mr Langdon
Mr Cunningham	Mr Hulls	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 the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 17 **ARTS ACTS (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 Haermeyer*) - put and agreed to.

Ordered - That the debate be adjourned until tomorrow.

- 18 **MUTUAL RECOGNITION (VICTORIA) 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 Haermeyer*) - put and agreed to.

Ordered - That the debate be adjourned until tomorrow.

- 19 **PETROLEUM 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 tomorrow.
- 20 **VICTORIAN INSTITUTE OF MARINE SCIENCES (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 tomorrow.
- 21 **PLANNING AND ENVIRONMENT (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 Dollis*) - put and agreed to.
- Ordered - That the debate be adjourned until tomorrow.
- 22 **CONSUMER CREDIT (FINANCE BROKERS) 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 (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 17 September 1998.
- 23 **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, 17 September 1998.
- 24 **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, 17 September 1998.
- 25 **CONSERVATION, FORESTS AND LANDS (MISCELLANEOUS AMENDMENTS) 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 September 1998.
- 26 **HEALTH SERVICES (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 (*Mr Thwaites*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 17 September 1998.

-
- 27 **VICTORIAN COLLEGE OF THE ARTS (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 (*Mrs Maddigan*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 17 September 1998.
- 28 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 29 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 6.25 p.m., adjourned until Tuesday, 6 October 1998.

P. J. MITHEN
Clerk of the Legislative Assembly

J.F. McGRATH
Acting Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos. 30, 31 and 32

No. 30 – Tuesday, 6 October 1998

- 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:

Dental Surgery/Medicine - Seeking that - (a) dental surgery or medicine be regulated to ensure that only qualified and registered dental operatives be allowed to practise; and (b) restrictions on who may own dental practices be maintained, bearing 40 signatures (*by Mr Coleman*)

Late Term Partial Birth Abortions - Seeking that Section 10 of the Crimes Act be amended to disallow the practice of late term partial birth abortions in Victoria, bearing 141 signatures (*by Mr Andrighetto*)

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 8,998 signatures (*by Mrs Campbell*)

Support for Pre-schools - Seeking that the Government accepts responsibility for providing more support to pre-schools in order to lessen the enormous strain currently on volunteer committees to fundraise for basic necessities, which are required to provide a proper pre-school education for all Victorian children, bearing 64 signatures (*by Mrs Campbell*).

Severally ordered to lie on the Table.

- 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 - SUPPORT FOR PRE-SCHOOLS** - Motion made and question - That the petition presented by the Member for Pascoe Vale relating to the Support for Pre-schools be taken into consideration tomorrow (*Mrs Campbell*) - 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. 6 of 1998 on the -
Arts Acts (Amendment) Bill
Conservation, Forests and Lands (Miscellaneous Amendments) Bill

Consumer Credit (Finance Brokers) Bill
 Health Services (Further Amendment) Bill
 Land (Further Revocation of Reservations) Bill
 Legal Practice (Amendment) Bill
 Mutual Recognition (Victoria) Bill
 Petroleum Bill
 Planning and Environment (Amendment) Bill
 Victorian College of the Arts (Amendment) Bill
 Victorian Institute of Marine Sciences (Repeal) 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 1997
 Audit Act 1994 – Report on the Performance Audit of the Victorian Auditor-General's Office, September 1998 – Ordered to be printed
 Ballarat General Cemeteries Trust – Report for the year 1997
 Bendigo Cemeteries Trust – Report for the year 1997
 Building Act 1993 –
 Building Code of Australia – Amendment No. 3
 Notice of the making of the Amendment (*Government Gazette S94, 9 September 1998*)
 Minister's exemption certificate under section 9(1) of the *Subordinate Legislation Act 1994*
 Cheltenham and Regional Cemeteries Trust – Report for the year 1997
 Constitution Act Amendment Act 1958 – Report on the Mitcham District By-election, 13 December 1997
 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. 12
 Amendment No. 1, Part A and Part B to the Standard for the Uniform Scheduling of Drugs and Poisons No. 13
 Notice regarding the amendments, commencement and availability of the Poisons Code
 Environment Protection Act 1970 – Order declaring Industrial Waste Management Policy (Waste Acid Sulfate Soils) (*Government Gazette No. S86, 27 August 1998*)
 Fawkner Crematorium and Memorial Park – Report for the year 1997
 Geelong Cemeteries Trust – Report for the year 1997
 Lilydale Memorial Park and Cemetery Trust – Report for the year 1997
 Memorial Park Altona Cemetery Trust – Report for the year 1997
 Necropolis Springvale – Report for the year 1997

Parliamentary Officers Act 1975 –

Statement of Appointments and Alterations of Classifications during the year 1997-98
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 1997-98 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 –

Notice of approval of the New Campaspe Planning Scheme

Notices of approval of amendments to the following Planning Schemes:

- All Metropolitan Planning Schemes – Nos. L82, RL179
- All Planning Schemes – No. S77
- Berwick Planning Scheme - Nos. L140, RL185
- Boroondara Planning Scheme - No. L55
- Cranbourne Planning Scheme - Nos. L186, RL185
- Delatite Planning Scheme - No. L16
- Flinders Planning Scheme – Nos. L176, L179
- Frankston Planning Scheme - No. L108
- Greater Bendigo Planning Scheme – No. L79
- Greater Geelong Planning Scheme - Nos. R199, R212
- Hastings Planning Scheme - No. L130
- Kingston Planning Scheme - No. L39
- Knox Planning Scheme - Nos. L173, RL185
- Maribyrnong Planning Scheme - Nos. L34, L36
- Maroondah Planning Scheme – No. L20
- Melbourne Planning Scheme - Nos. L301, L322, RL179
- Melton Planning Scheme – Nos. L81, L96
- Monash Planning Scheme - Nos. L41, L46A, L47
- Pakenham Planning Scheme - Nos. L151, L157
- Stonnington Planning Scheme – No. L16
- Traralgon (City) Planning Scheme - No. L76
- Victoria Planning Provisions – No. VC3
- Warrnambool Planning Scheme - No. L30
- Warrnambool (Shire) Planning Scheme - No. L17
- Whitehorse Planning Scheme - No. L21 Part 1
- Whittlesea Planning Scheme - No. L167
- Yarra Planning Scheme – No. RL179
- Yarra Ranges Planning Scheme - Nos. L88, L89, L98

Preston General Cemetery Trust – Report for the period 1 July 1995 to 31 December 1996

Public Sector Asset Investment Program (Budget Information Paper No. 1) – Report for
the year 1998-99

Statutory Rules under the following Acts:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 - S.R. No. 111
 Firearms Act 1996 - S.R. No. 112
 Gaming Machine Control Act 1991 - S.R. Nos. 108, 109
 Magistrates' Court Act 1989 - S.R. Nos. 106, 107
 Melbourne and Metropolitan Board of Works Act 1958 - S.R. No. 113
 Mental Health Act 1986 - S.R. No. 120
 Motor Car Traders Act 1986 - S.R. No. 114
 Planning and Environment Act 1987 - S.R. No. 115
 Road Safety Act 1986 - S.R. No. 116
 Supreme Court Act 1986 - S.R. Nos. 110, 121
 Tobacco Act 1987 - S. R. No. 119
 Transport Superannuation Act 1988 - S.R. No. 118
 Victorian Plantations Corporation Act 1993 - S.R. No. 117

Subordinate Legislation Act 1994 -

Minister's exception certificates in relation to Statutory Rule Nos. 107, 110, 121
 Ministers' exemption certificates in relation to Statutory Rule Nos. 109, 111, 114,
 115, 117, 118, 119

Templestowe Cemetery Trust - Financial Statements for the year 1997

Werribee Cemetery Trust - Report for the period 1 July 1995 to 31 December 1996.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 17 February 1998:

Agriculture Acts (Amendment) Act 1998 - Section 6 on 1 October (*Gazette No. G38, 24 September 1998*)

Firearms (Amendment) Act 1998 - Paragraphs (c), (e) and (g) of section 40 on 7 September 1998 (*Gazette No. G35, 3 September 1998*).

- 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:

Arts Acts (Amendment) Bill
 Conservation, Forests and Lands (Miscellaneous Amendments) Bill
 Land (Further Revocation of Reservations) Bill
 Petroleum Bill
 Victorian College of the Arts (Amendment) Bill
 Victorian Institute of Marine Sciences (Repeal) Bill.

- 8 **GRIEVANCES** - Motion made, by leave, and question - That for the purposes of Sessional Order No. 4(1), Wednesday, 21 October 1998 be appointed a day upon which the question "That grievances be noted" may be put (*Mr Gude*) - put and agreed to.

- 9 **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 4.30 p.m., Thursday, 8 October 1998:

Arts Acts (Amendment) Bill
 Mutual Recognition (Victoria) Bill
 Petroleum Bill
 Victorian Institute of Marine Sciences (Repeal) Bill
 Planning and Environment (Amendment) Bill

Consumer Credit (Finance Brokers) Bill
 Legal Practice (Amendment) Bill
 Land (Further Revocation of Reservations) Bill
 Conservation, Forests and Lands (Miscellaneous Amendments) Bill
 Health Services (Further Amendment) Bill

(Mr Gude) – after debate, put.

The House divided.

AYES, 53

Mr Andrighetto	Mr John	Dr Naphthine	Mr Steggall
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
Dr Dean	Mr McArthur	Mr Phillips	Mrs Wade
Mr Dixon	Ms McCall	Mr Plowman	Mr Wells
Mr Doyle	Mrs McGill	(Benambra)	
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	Ms 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, 31

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

And so it was resolved in the affirmative.

- 10 **ARTS 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.

- 11 **MUTUAL RECOGNITION (VICTORIA) 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 **PETROLEUM 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.

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 has taken place to determine appropriate environment and planning controls which should be included in the legislation" (*Mr Loney*) - and, after debate -

*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 at 10.00 p.m.

P. J. MITHEN

Clerk of the Legislative Assembly

S. J. PLOWMAN

Speaker

No. 31 – Wednesday, 7 October 1998

- 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:
- Members of Parliament (Register of Interests) Act 1978 – Summary of Returns June 1998 and Summary of Variations Notified between 14 May and 1 October 1998 – 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 in its Report "Weeds in Victoria"
- Public Record Office – Report for the year 1997-98
- 3 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Physiotherapists Registration Bill
Local Government (Amendment) Bill.
- 4 **ADJOURNMENT MOTION – EXPLOSION – LONGFORD GAS PLANT** - Mr Brumby proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -
- "The explosion that occurred at Esso's Longford gas plant on 25 September 1998 resulting in a tragic loss of life, an unprecedented interruption in supply, a massive dislocation

to Victorian households and businesses, and the steps that need to be taken to determine the cause of the accident and to ensure that an event of this nature will never happen again".

Mr Speaker having ascertained that twelve members approved of the proposed discussion -

Motion made and question - That the House do now adjourn (*Mr Brumby*) – put, after debate and negatived.

- 5 **VICTORIAN EDUCATION SYSTEM** - Motion made and question proposed - That this House condemns the Government for closing over 360 schools and removing over 9000 teachers from the Victorian Education System, resulting in larger class sizes, less individual attention for struggling students, longer travelling times for young students, and greater numbers of students dropping out of school before they reach year 12 (*Mr Mildenhall*).

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

- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 7 **ACCIDENT COMPENSATION (AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Accident Compensation (WorkCover Insurance) Act 1993 and the Accident Compensation 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.
- 8 **SUPERANNUATION ACTS (AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Emergency Services Superannuation Act 1986, the Hospitals Superannuation Act 1988, 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.
- 9 **STATE TAXATION (FURTHER AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to amend the Business Franchise (Petroleum Products) Act 1979, the Financial Institutions Duty Act 1982, the Land Tax Act 1958, the Liquor Control Act 1987, 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.
- 10 **LIQUOR CONTROL REFORM BILL** - Mr Reynolds, after debate, obtained leave with Mr Gude, to bring in a Bill "*to reform the law relating to the supply and consumption of liquor, to repeal the Liquor Control Act 1987, 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 CRICKET GROUND (AMENDMENT) BILL** – Mrs Tehan, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Melbourne Cricket Ground Act 1933 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 12 **APPEAL COSTS BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill "*to re-enact, with amendments, the Appeal Costs 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.
- 13 **LOCAL GOVERNMENT (GOVERNANCE AND MELTON) BILL** - Mr Maclellan (*Pakenham*), after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Docklands Authority Act 1991, the Local Government Act 1989 and the City of Melbourne Act 1993 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.
- 14 **TRANSPORT (AMENDMENT) BILL** - Mr Cooper, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Transport 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.
- 15 **EDUCATION (AMENDMENT) BILL** - Mr Gude, after debate, obtained leave with Mr Maclellan (*Pakenham*), to bring in a Bill "*to amend the Education 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 **VICTORIAN INSTITUTE OF MARINE SCIENCES (REPEAL) 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 **PLANNING AND ENVIRONMENT (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.
- 18 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
Road Safety (Amendment) Bill
Printers and Newspapers (Repeal) Bill.
- 19 **TRADE MEASUREMENT (ADMINISTRATION) (AMENDMENT) BILL** - Mr Deputy Speaker announced the receipt of a Message from the Council transmitting a Bill "*to amend the Trade Measurement (Administration) Act 1995 and for other purposes*" and desiring the concurrence of the Assembly therein.
On the motion of Mr Reynolds, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and, by leave, read a second time forthwith.
- 20 **TRADE MEASUREMENT (ADMINISTRATION) (AMENDMENT) BILL** - Order read for this Bill to 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.
Bill read a second time, after debate, 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 **CONSUMER CREDIT (FINANCE BROKERS) 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 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.

And the House having continued to sit after 12 midnight -

THURSDAY, 8 OCTOBER 1998

Motion made and question proposed - That the debate be now adjourned (*Mr Gude*) - and, after debate.

Motion made and question - That the question be now put (*Mr Maughan*) - put.

The House divided.

AYES, 51

Mr Andrighetto	Mr Jenkins	Mr Perrin	Mr Steggall
Mr Ashley	Mr John	Mr Perton	Mr Stockdale
Mr Clark	Mr Lean	Mrs Peulich	Mr Thompson
Mr Coleman	Mr Leigh	Mr Phillips	Mr Traynor
Mr Cooper	Mr Lupton	Mr Plowman	Mr Treasure
Ms Davies	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 McNamara	Mr Savage	<i>Tellers</i>
Mr Finn	Mr Maclellan	Ms Shardey	Ms Burke
Mr Gude	(<i>Pakenham</i>)	Mr Smith	Mr Kilgour
Mr Honeywood	Mr Maughan	(<i>Polwarth</i>)	Mr Smith
Mr Jasper	Mr Paterson	Mr Spry	(<i>Glen Waverley</i>)

NOES, 27

Mr Andrianopoulos	Ms Delahunty	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 Pandazopoulos	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Robinson	Mr Cameron
Mr Carli	Mr Hulls	Mr Seitz	Mr Langdon
Mr Cunningham	Ms Kosky	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Original question - put.

The House divided.

AYES, 51

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

NOES, 27

Mr Andrianopoulos	Ms Delahunty	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 Pandazopoulos	Tellers
Mrs Campbell	Mr Hamilton	Mr Robinson	Mr Cameron
Mr Carli	Mr Hulls	Mr Seitz	Mr Langdon
Mr Cunningham	Ms Kosky	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

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

- 22 **LEGAL PRACTICE (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 **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.

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

- 25 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 3.22 a.m., adjourned until later this day.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 32 – Thursday, 8 October 1998

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Point King Beach, Portsea** - Seeking that the House take necessary and appropriate steps to - (a) ensure the removal of the public nuisance committed on Point King Beach, Portsea by certain adjoining landowners erecting fencing designed and intended to enclose a substantial, previously unenclosed area of the Beach near its western end; and (b) preserve and protect the public's right to walk through, use and enjoy the area in question without let or hindrance, bearing 745 signatures (*by Mr Dixon*)
 - National Park – Strzelecki State Forest** - Seeking that the Government implement the establishment of a 30,000 hectare National Park in the Strzelecki State Forest, as outlined in the proposal produced by Devenish, Constable and Standerling, bearing 5,401 signatures (*by Ms Davies*)
 - Late Term Partial Birth Abortions** - Seeking that Section 10 of the Crimes Act be amended to disallow the practice of late term partial birth abortions in Victoria, bearing 93 signatures (*by Mr Savage*).

Severally ordered to lie on the Table.
- 3 **PETITION - NATIONAL PARK - STRZELECKI STATE FOREST** - Motion made and question - That the petition presented by the Member for Gippsland West relating to a National Park in the Strzelecki State Forest be taken into consideration tomorrow (*Ms Davies*) - put and agreed to.
- 4 **PETITION – LATE TERM PARTIAL BIRTH ABORTIONS** - Motion made and question - That the petition presented by the Member for Mildura relating to late term partial birth abortions be taken into consideration tomorrow (*Mr Savage*) - put and agreed to.
- 5 **PAPER PURSUANT TO STATUTE** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
Statutory Rule under the Marine Act 1988 – S.R. No. 122.
- 6 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 20 October 1998 (*Mr Gude*) - put and agreed to.

7 CONSERVATION, FORESTS AND LANDS (MISCELLANEOUS AMENDMENTS) BILL -
Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Ms Garbutt 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, 51

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

NOES, 32

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mr Thwaites
Mr Baker	Ms Delahunty	Mr Lim	Mrs Wilson
Mr Batchelor	Mr Dollis	Mr Loney	
Mr Bracks	Ms Garbutt	Mr Micallef	
Mr Brumby	Ms Gillett	Mr Mildenhall	
Mrs Campbell	Mr Haermeyer	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Mr Hamilton	Mr Robinson	Mr Cameron
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 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.

8 HEALTH SERVICES (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 2.00 p.m.
pursuant to Sessional Orders.*

9 QUESTIONS - (Pursuant to Standing Order No. 124).

- 10 **HEALTH SERVICES (FURTHER AMENDMENT) BILL** - Debate continued on question - That this Bill be now read a second time.

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of the House on Tuesday, 6 October 1998 had expired.

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	Mrs Peulich	Mr Treasure
Mr Coleman	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	(Warrnambool)	Mr Rowe	
Mrs Elliott	Mr McGrath	Mr Ryan	
Mr Finn	(Wimmera)	Ms Shardey	
Mr Gude	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(Polwarth)	Tellers
Mr Honeywood	(Pakenham)	Mr Spry	Ms Burke
Mr Jasper	Mr Maughan	Mr Steggall	Mr Kilgour
Mr Jenkins	Dr Napthine	Mr Stockdale	Mr Smith
Mr John	Mr Paterson	Mrs Tehan	(Glen Waverley)

NOES, 29

Mr Andrianopoulos	Ms Davies	Mr Lim	Mr Thwaites
Mr Batchelor	Ms Delahunty	Mr Loney	Mrs Wilson
Mr Bracks	Mr Dollis	Mr Micallef	
Mr Brumby	Ms Garbutt	Mr Mildenhall	
Mrs Campbell	Mr Haermeyer	Mr Pandazopoulos	Tellers
Mr Carli	Mr Hulls	Mr Robinson	Mr Cameron
Mr Cole	Ms Kosky	Mr Savage	Mr Langdon
Mr Cunningham	Mr Leighton	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.

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 **PETROLEUM 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 has taken place to determine appropriate environment and planning controls which should be included in the legislation".

Question - That the words 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	Mrs Peulich	Mr Treasure
Mr Coleman	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	(Warrnambool)	Mr Rowe	
Mrs Elliott	Mr McGrath	Mr Ryan	
Mr Finn	(Wimmera)	Ms Shardey	
Mr Gude	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(Polwarth)	Tellers
Mr Honeywood	(Pakenham)	Mr Spry	Ms Burke
Mr Jasper	Mr Maughan	Mr Steggall	Mr Kilgour
Mr Jenkins	Dr Napthine	Mr Stockdale	Mr Smith
Mr John	Mr Paterson	Mrs Tehan	(Glen Waverley)

NOES, 28

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

And so it was resolved in the affirmative.

Bill read a second time and a third time and transmitted to the Legislative Council and their concurrence desired therein.

12 **CONSUMER CREDIT (FINANCE BROKERS) 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, the Government amendment be agreed to, the Bill be read a third time and the Bill be transmitted to the Legislative Council and their concurrence desired therein - put.

The House divided.

AYES, 51

Mr Andrighetto	Mr Lean	Mr Perrin	Mr Thompson
Mr Ashley	Mr Leigh	Mr Pertone	Mr Traynor
Mr Clark	Mr Lupton	Mrs Peulich	Mr Treasure
Mr Coleman	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	(Warrnambool)	Mr Rowe	
Mrs Elliott	Mr McGrath	Mr Ryan	
Mr Finn	(Wimmera)	Ms Shardey	
Mr Gude	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(Polwarth)	Tellers
Mr Honeywood	(Pakenham)	Mr Spry	Ms Burke
Mr Jasper	Mr Maughan	Mr Steggall	Mr Kilgour
Mr Jenkins	Dr Napthine	Mr Stockdale	Mr Smith
Mr John	Mr Paterson	Mrs Tehan	(Glen Waverley)

NOES, 29

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

And so it was resolved in the affirmative.

- 13 **ACCIDENT COMPENSATION (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 (*Mr Bracks*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 22 October 1998.
- 14 **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, 22 October 1998.
- 15 **LIQUOR CONTROL REFORM 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 Haermeyer*) - put and agreed to.
- Motion made and question proposed - That the debate be adjourned for two weeks (*Dr Napthine*).

Amendment proposed – That the words "two weeks" be omitted with the view of inserting in place thereof the words "six months" (*Mr Haermeyer*).

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

The House divided.

AYES, 50

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

NOES, 28

Mr Andrianopoulos	Ms Davies	Mr Lim	Mrs Wilson
Mr Batchelor	Ms Delahunty	Mr Loney	
Mr Bracks	Mr Dollis	Mr Micallef	
Mr Brumby	Ms Garbutt	Mr Mildenhall	
Mrs Campbell	Mr Haermeyer	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Mr Hulls	Mr Robinson	Mr Cameron
Mr Cole	Ms Kosky	Mr Savage	Mr Langdon
Mr Cunningham	Mr Leighton	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 22 October 1998.

- 16 **MELBOURNE CRICKET GROUND (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.

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 "six" (*Ms Garbutt*) – and, after debate -

Question – That the word proposed to be omitted stand part of the question – put.

The House divided.

AYES, 52

Mr Andrighetto	Mr Jenkins	Mr Paterson	Mrs Tehan
Mr Ashley	Mr John	Mr Perrin	Mr Thompson
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	(Benambra)	
Mr Dixon	Mrs McGill	Mr Richardson	
Mr Doyle	Mr McGrath	Mr Rowe	
Mr Elder	(Warrnambool)	Mr Ryan	
Mrs Elliott	Mr McGrath	Mr Savage	
Mr Finn	(Wimmera)	Ms Shardey	Tellers
Mr Gude	Mr McNamara	Mr Smith	Ms Burke
Mrs Henderson	Mr Maclellan	(Polwarth)	Mr Kilgour
Mr Honeywood	(Pakenham)	Mr Spry	Mr Smith
Mr Jasper	Dr Napthine	Mr Stockdale	(Glen Waverley)

NOES, 26

Mr Andrianopoulos	Ms Delahunty	Mr Lim	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Loney	Mrs Wilson
Mr Bracks	Ms Garbutt	Mr Micallef	
Mrs Campbell	Mr Haermeyer	Mr Mildenhall	Tellers
Mr Carli	Mr Hulls	Mr Pandazopoulos	Mr Cameron
Mr Cole	Ms Kosky	Mr Robinson	Mr Langdon
Mr Cunningham	Mr Leighton	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 22 October 1998.

- 17 **APPEAL COSTS 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, 22 October 1998.

- 18 **LOCAL GOVERNMENT (GOVERNANCE AND MELTON) 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, 22 October 1998.

- 19 **TRANSPORT (AMENDMENT) 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, 22 October 1998.

- 20 **EDUCATION (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 Mildenhall*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 22 October 1998.
- 21 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Dr Naphthine*) - put and agreed to.
- 22 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 7.44 p.m., adjourned until Tuesday, 20 October 1998.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos. 33, 34 and 35

No. 33 – Tuesday, 20 October 1998

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **DEATH OF THEO SIDIROPOULOS, ESQUIRE** - Motion made and question - That this House expresses its sincere sorrow at the death of Theo Sidiropoulos, 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 Richmond from 1977 to 1988 (*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 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:

Late Term Partial Birth Abortions - Seeking that Section 10 of the Crimes Act be amended to disallow the practice of late term partial birth abortions in Victoria, bearing 73 signatures (*by Mr Traynor*).

Ordered to lie on the Table.

- 5 **PAPERS** -

TREATY DOCUMENTS - Motion made, by leave, and question - That there be presented to this House in accordance with the Government's Response to the Federal-State Relations Committee's First Report - *International Treaty Making and the Role of the States* - (a) Treaty documents tabled in the Commonwealth Parliament on 12, 13 and 26 May 1998 and 30 June 1998; (b) the most recent version of the Commonwealth Government's Schedule of Negotiations for New Treaties (including explanatory paragraphs on new entries and details of negotiations finalised or terminated); (c) Schedule 1 - Current Commonwealth Treaty Action: 1998; and (d) Schedule 2 - Finalised Treaties and Negotiations for New Treaties (except for sections of Schedules 1 and 2 dealing with bilateral treaties) (*Mr Kennett*) - put and agreed to.

The said papers were presented by Mr Kennett and ordered to lie on the Table.

1997-98 BUDGET OUTCOME STATEMENT - Motion made, by leave, and question - That there be presented to this House a copy of the 1997-98 Budget Outcome Statement (*Mr Stockdale*) - put and agreed to.

The said statement was presented by Mr Stockdale and ordered to lie on the Table.

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 1997-98 (*Mr Cooper*) - put and agreed to.

The said report was presented by Mr Cooper and ordered to lie on the Table.

NILLUMBIK SHIRE COUNCIL - Motion made, by leave, and question - That there be presented to this House a copy of the Report dated 18 August 1998 from Commissioner David Abraham relating to the Nillumbik Shire 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.

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 1998 on the -

- Accident Compensation (Amendment) Bill
- Appeal Costs Bill
- Bail (Amendment) Bill
- Building (Plumbing) Bill
- Crimes (Amendment) Bill
- Education (Amendment) Bill
- Liquor Control Reform Bill
- Local Government (Governance and Melton) Bill
- MacKillop Family Services Bill
- Melbourne Cricket Ground (Amendment) Bill
- Patriotic Funds (Amendment) Bill
- Road Safety (Further Amendment) Bill
- Superannuation Acts (Amendment) Bill
- Trade Measurement (Administration) (Amendment) Bill
- Transport (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:

- Colac Community Health Services - Report for the year 1997-98
- Environment Protection Act 1970 - Order declaring Industrial Waste Management Policy (National Pollutant Inventory) (*Government Gazette No. S107, 6 October 1998*)
- Financial Management Act 1994 - Report from the Minister for Health that he had received the 1997-98 Annual Report of Timboon and District Healthcare
- Forests (Victree Forests Agreement) Act 1989 - Victree Forests Agreement Termination Deed pursuant to section 6
- Hamilton Base Hospital - Report for the year 1997-98
- Local Government Act 1989 - Order in Council suspending Councillors and appointing an Administrator to the Nillumbik Shire Council, 13 October 1998
- Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
 - Ballarat Planning Scheme No. L42
 - Boroondara Planning Scheme - No. L35
 - Brimbank Planning Scheme - No. L2
 - Doncaster and Templestowe Planning Scheme - No. L129
 - Flinders Planning Scheme - No. L141
 - Greater Geelong Planning Scheme - No. RL121
 - Hume Planning Scheme - No. L38

Kingston Planning Scheme – No. L40
 Moonee Valley Planning Scheme – No. L34
 Morwell Planning Scheme - No. L64
 Ripon Planning Scheme – No. L17
 Stonnington Planning Scheme – No. L29
 Victorian Planning Provisions – No. VC4
 Werribee Planning Scheme – No. L132
 Yarra Planning Scheme – Nos. L70, L81
 Yarra Ranges Planning Scheme - No. L91

Port Fairy Hospital – Report for the year 1997-98

Prevention of Cruelty to Animals Act 1986 – Code of Practice for the Welfare of Horses
 Competing at Bush Race Meetings

Rural Finance Act 1988 – Direction by the Treasurer to the Rural Finance Corporation to
 establish, operate and administer a scheme of assistance for persons whose farming
 enterprise has been affected by the Ovine Johne's Disease

Rural Finance Corporation - Report for the year 1997-98

South East Water Limited – Report for the year 1997-98

Statutory Rules under the following Acts:

Debits Tax Act 1990 – S.R. No. 123

Financial Institutions Duty Act 1982 - S.R. No. 124

Subordinate Legislation Act 1994 -

Minister's exemption certificates in relation to Statutory Rule Nos. 123, 124

Urban Land Corporation – Report for the year 1997-98

Victorian Funds Management Corporation – Report for the year 1997-98

Victorian Multicultural Commission – Report for the period ended 30 June 1998

Warrnambool and District Base Hospital – Report for the year 1997-98

Young Farmers' Finance Council – Report for the year 1997-98.

- 6 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing
 the Assembly that he had, on 13 October 1998, given the Royal Assent to the following Bills,
 presented to him by the Clerk-Assistant of the Legislative Council:

Local Government (Amendment) Bill

Physiotherapists Registration Bill

Printers and Newspapers (Repeal) Bill

Road Safety (Amendment) Bill

Trade Measurement (Administration) (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:

Accident Compensation (Amendment) Bill

Appeal Costs Bill

Liquor Control Reform Bill

Superannuation Acts (Amendment) Bill

Transport (Amendment) Bill.

- 8 **EDUCATION (AMENDMENT) BILL** – Motion made, by leave, and question - That the Order of the House making the resumption of debate on the second reading of the Education (Amendment) Bill an Order of the Day for Thursday, 22 October 1998 be read and rescinded and that it be made an Order of the Day, for later this day (*Mr Gude*) – put and agreed to.
- 9 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** – Motion made, by leave, and question - That upon the Livestock Disease Control (Amendment) Bill being committed, that it be an instruction to the Committee that they have power to consider a New Clause to provide for the application of capital and interest in the Sheep and Goat Compensation Fund towards the control or eradication of disease of sheep or goats (*Mr Gude*) – 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 4.30 p.m., Thursday, 22 October 1998:
- International Transfer of Prisoners (Victoria) Bill
 - Livestock Disease Control (Amendment) Bill
 - Transfer of Land (Single Register) Bill
 - Victorian College of the Arts (Amendment) Bill
 - Accident Compensation (Amendment) Bill
 - Superannuation Acts (Amendment) Bill
 - Education (Amendment) Bill
- (*Mr Gude*) - put and agreed to.
- 11 **INTERNATIONAL TRANSFER OF PRISONERS (VICTORIA) 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 ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos 2 and 3, be postponed until later this day.
- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Road Safety (Driving Instructors) Bill with an amendment.
- Ordered - That the said amendment be printed and taken into consideration tomorrow.
- 14 **TRANSFER OF LAND (SINGLE REGISTER) 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 funding from the \$4 million package to finance the changes to Land Titles is directed, as far as possible, to the Ballarat offices of NRE as some compensation for the Government's bungling cancellation of the \$40 million tender to computerise the Land Titles Office" (*Ms Garbutt*) - 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. 34 – Wednesday, 21 October 1998

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

Steel-Jawed Traps - Seeking that the House enact legislation to totally ban the manufacture, sale and use of steel-jawed traps in all areas of the State, bearing 821 signatures (*by Mr Carli*)

Amcor Pty Ltd – Planning Permits - Seeking that permission, granting the planning permits applied for by Amcor Pty Ltd to clear about 2000 hectares of native bushland located throughout several Gippsland Shires, be denied, bearing 163 signatures (*by Mr Smith, Glen Waverley*).

Severally ordered to lie on the Table.

- 3 **PETITION - STEEL-JAWED TRAPS** - Motion made and question - That the petition presented by the Member for Coburg relating to the manufacture, sale and use of steel-jawed traps be taken into consideration tomorrow (*Mr Carli*) - put and agreed to.

4 **PAPERS** -

PATRIOTIC FUNDS COUNCIL - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Patriotic Funds Council for the year 1997 (*Mr Gude*) - put and agreed to.

The said report was presented by Mr Gude and ordered to lie on the Table.

PAPERS PURSUANT TO STATUTE - The following Papers, pursuant to the direction of several Acts of Parliament, were laid upon the Table by the Clerk:

Auditor-General – Report of the Office for the year 1997-98

Crown Land (Reserves) Act 1978 – Section 17DA Order granting, under Section 17D, a lease by the Melbourne City Council

Emergency Services Superannuation Scheme – Report for the year 1997-98

Generation Victoria (Ecogen Energy) – Report for the year 1997-98

Harness Racing Board – Report for the year 1997-98

Legal Practice Act 1996 – Report of the Legal Ombudsman on Multi-Disciplinary Practices, June 1998

Parks Victoria - Report for the period ended 2 July 1998

State Trustees Limited - Report for the year 1997-98

Victorian Meat Authority - Report for the year 1997-98 (two papers)

Victorian WorkCover Authority - Report for the year 1997-98

- 5 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Mutual Recognition (Victoria) Bill
 - Arts Acts (Amendment) Bill
 - Land (Revocation of Reservations) Bill.
- 6 **CRIMES (AMENDMENT) BILL** - Mr Speaker announced the receipt of a Message from the Council transmitting a Bill "*to amend the Crimes Act 1958 and for other purposes*" and desiring the concurrence of the Assembly therein.
- On the motion of Mr Stockdale, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time, by leave, later this day.
- 7 **PATRIOTIC FUNDS (AMENDMENT) BILL** - Mr Speaker announced the receipt of a Message from the Council transmitting a Bill "*to amend the Patriotic Funds Act 1958 and for other purposes*" and desiring the concurrence of the Assembly therein.
- On the motion of Mr Stockdale, for Mrs Wade, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time, by leave, later this day.
- 8 **ROAD SAFETY (FURTHER AMENDMENT) BILL** - Mr Speaker announced the receipt of a Message from the Council transmitting a Bill "*to amend the Road Safety Act 1986, the Road Safety (Amendment) Act 1998 and the Transport Accident Act 1986 and for other purposes*" and desiring the concurrence of the Assembly therein.
- On the motion of Mr Stockdale, for Mrs Wade, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time, by leave, later this day.
- 9 **BAIL (AMENDMENT) BILL** - Mr Speaker announced the receipt of a Message from the Council transmitting a Bill "*to amend the Bail Act 1977 and for other purposes*" and desiring the concurrence of the Assembly therein.
- On the motion of Mr Stockdale, for Mrs Wade, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time, by leave, later this day.
- 10 **GRIEVANCES** - Question - That grievances be noted - put, after debate, and agreed to.
- 11 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 12 **MELBOURNE CITY LINK (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*), after debate, obtained leave, with Mr Gude, to bring in a Bill "*to amend the Melbourne City Link Act 1995 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.
- 13 **LOCAL GOVERNMENT (NILLUMBIK SHIRE COUNCIL) BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr Reynolds, to bring in a Bill "*to dismiss the Nillumbik Shire Council and set a date for a general election for that Council and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 14 **RACING AND BETTING ACTS (AMENDMENT) BILL** - Mr Reynolds, after debate, obtained leave with Mr Stockdale, to bring in a Bill "*to amend the Racing Act 1958, the Lotteries Gaming and Betting Act 1966, the Stamps Act 1958, the Gaming No. 2 Act 1997, the Gaming and Betting 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.
- 15 **GAMING ACTS (FURTHER AMENDMENT) BILL** - Mr Reynolds, after debate, obtained leave with Mr Stockdale, to bring in a Bill "*to amend the Casino Control Act 1991, the Casino (Management Agreement) Act 1993, the Club Keno Act 1993, the Gaming and Betting Act 1994, the Gaming Machine Control Act 1991, the Gaming No. 2 Act 1997 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.
- 16 **LICENSING AND TRIBUNAL (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Stockdale, to bring in a Bill "*to amend the Co-operatives Act 1996, the Domestic Building Contracts Act 1995, the Motor Car Traders Act 1986, the Prostitution Control Act 1994, the Second-Hand Dealers and Pawnbrokers Act 1989, the Small Claims Act 1973, the Tribunals and Licensing Authorities (Miscellaneous Amendments) Act 1998, the Victorian Civil and Administrative Tribunal Act 1998 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.
- 17 **LEGAL AID (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Stockdale, to bring in a Bill "*to amend the Legal Aid Act 1978 to provide for funding matters, to clarify powers in relation to legal practitioners and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 **CHATTEL SECURITIES (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Stockdale, to bring in a Bill "*to amend the Chattel Securities Act 1987 as a consequence of the establishment of the national vehicle security enquiry register and the Victorian Civil and Administrative Tribunal 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 ACTS (AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mrs Wade, to bring in a Bill "*to make further amendments to the Electricity Industry Act 1993 and the State Electricity Commission Act 1958 and to amend the Electricity Safety Act 1998 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 20 **GAS INDUSTRY ACTS (AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr Honeywood, to bring in a Bill "*to amend the Gas Industry Act 1994, the Gas Pipelines Access (Victoria) Act 1998, the Gas Safety 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.
- 21 **RAIL CORPORATIONS (FURTHER AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr Honeywood, to bring in a Bill "*to make further amendments to the Rail Corporations Act 1996 and the Transport 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 **VICTORIAN COLLEGE OF THE ARTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
Pursuant to Sessional Orders, Mr Hamilton 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, by leave, to be committed later this day.
- 23 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos 2 to 5 inclusive, be postponed until later this day.
- 24 **ROAD SAFETY (DRIVING INSTRUCTORS) 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.
- 25 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
Pursuant to Sessional Orders, Mr Cooper 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.
- 26 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Classification (Publications, Films and Computer Games) (Enforcement) (Amendment) Bill without amendment.
- 27 **MACKILLOP FAMILY SERVICES BILL** - Mr Speaker announced the receipt of a Message from the Council transmitting a Bill "*relating to MacKillop Family Services Ltd and for other purposes*" and desiring the concurrence of the Assembly therein.
On the motion of Mrs Henderson, for Dr Naphthine, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time, by leave, later this day.
- 28 **BUILDING (PLUMBING) BILL** - Mr Speaker announced the receipt of a Message from the Council transmitting a Bill "*to amend the Building Act 1993 in relation to plumbing matters and for other purposes*" and desiring the concurrence of the Assembly therein.
On the motion of Mrs Henderson, for Mr Maclellan (*Pakenham*), the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time, by leave, later this day.
- 29 **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.*

- 30 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.54 p.m.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 35 – Thursday, 22 October 1998

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **APPEAL COSTS BILL** – Pursuant to section 85 of the *Constitution Act 1975*, Mrs Wade gave notice of intention to make a statement of the reasons why that section should be altered or varied by clause 37(2) of the Appeal Costs Bill in lieu of the statement in the Second reading speech made in relation to clause 38 of the Bill on Thursday, 8 October 1998.
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:

Strzelecki State Forest - National Park - Seeking that the Government implement the establishment of a 30,000 hectare National Park in the Strzelecki State Forest, as outlined in the proposal produced by Devenish, Constable and Standerling, bearing 324 signatures (*by Ms Davies*)

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 53 signatures (*by Mr Seitz*)

Sydenham Railway Station - Seeking that the Minister for Roads and Ports immediately provide funding for safety improvements in and around the Sydenham Railway Station, bearing 38 signatures (*by Mr Seitz*)

Program for Heroin Addicts - Seeking that the Government send appropriately qualified people to Israel to study, evaluate and learn the program recommended by Dr. Andre Waismann to help heroin addicts in order to set up trials in Australia, bearing 15 signatures (*by Mr Seitz*).

Severally ordered to lie on the Table.

- 4 **PETITION - NATIONAL PARK – STRZELECKI STATE FOREST** - Motion made and question - That the petition presented by the Member for Gippsland West relating to the establishment of a National Park in the Strzelecki State Forest be taken into consideration tomorrow (*Ms Davies*) - put and agreed to.
- 5 **PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- East Grampians Health Service – Report for the year 1997-98
- Financial Management Act 1994 – Report of the Minister for Health that he had received the 1997-98 Annual Report of the Warracknabeal and District Hospital

Melbourne Market Authority - Report for the year 1997-98 (two papers)
 Metropolitan Fire and Emergency Services Board – Report for the year 1997-98
 National Parks Advisory Council – Report for the year 1997-98
 Statutory Rules under the Subordinate Legislation Act 1994 – S.R. Nos. 125, 126, 127
 Stawell District Hospital – Report for the year 1997-98
 Subordinate Legislation Act 1994 - Minister's exemption certificates in relation to
 Statutory Rule Nos. 122, 125, 126, 127
 Victorian Broiler Industry Negotiation Committee – Report for the year 1997-98
 Yarra Valley Water – Report for the year 1997-98.

- 6 **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.

- 7 **ACCIDENT COMPENSATION (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 - (i) develops guidelines for the establishment of agents and sub-contractors; and (ii) guarantees that the existing functions of occupational health and safety officers will not be reduced in any way" (*Mr Bracks*) - and, after debate -

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

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

- 9 **ACCIDENT COMPENSATION (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 - (i) develops guidelines for the establishment of agents and sub-contractors; and (ii) guarantees that the existing functions of occupational health and safety officers will not be reduced in any way".

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	<i>Tellers</i>
Mrs Henderson	Mr McNamara	Ms 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, 31

Mr Adrianopoulos	Ms Delahunty	Mr Lim	Mrs Wilson
Mr Baker	Mr Dollis	Mr Loney	
Mr Batchelor	Ms Garbutt	Mr Micallef	
Mr Bracks	Ms Gillett	Mr Mildenhall	
Mr Brumby	Mr Haermeyer	Mr Pandazopoulos	
Mrs Campbell	Mr Hamilton	Mr Robinson	<i>Tellers</i>
Mr Carli	Mr Hulls	Mr Savage	Mr Cameron
Mr Cunningham	Ms Kosky	Mr Seitz	Mr Langdon
Ms Davies	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 **EDUCATION (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 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos 4 to 10 inclusive, be postponed until later this day.

- 12 **CRIMES (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, 27 October 1998.
- 13 **PATRIOTIC FUNDS (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, 27 October 1998.
- 14 **ROAD SAFETY (FURTHER AMENDMENT) 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 Tuesday, 27 October 1998.
- 15 **BAIL (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 Batchelor*) - put and agreed to.
- Ordered - That the debate be adjourned until Tuesday, 27 October 1998.
- 16 **MELBOURNE CITY LINK (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 Batchelor*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 5 November 1998.
- 17 **LOCAL GOVERNMENT (NILLUMBIK SHIRE COUNCIL) 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.
- Motion made and question proposed - That the debate be adjourned for two weeks (*Mr Maclellan, Pakenham*).
- Amendment proposed - That the word "two" be omitted with the view of inserting in place thereof the word "four" (*Mr Dollis*) - and, after debate -
- Motion made and question - That the question be now put (*Mr Smith, Glen Waverley*) - put.

The House divided.

AYES, 54

Mr Andrighetto	Mr Kennett	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	(<i>Benambra</i>)	
Mr Doyle	Mr McGrath	Mr Reynolds	
Mr Elder	(<i>Warrnambool</i>)	Mr Richardson	
Mrs Elliott	Mr McGrath	Mr Rowe	
Mr Finn	(<i>Wimmera</i>)	Mr Ryan	
Mr Gude	Mr McLellan	Ms Shardey	
Mrs Henderson	(<i>Frankston East</i>)	Mr Smith	<i>Tellers</i>
Mr Honeywood	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	Mr Stockdale	(<i>Glen Waverley</i>)

NOES, 28

Mr Andrianopoulos	Mr Dollis	Mr Loney	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Micallef	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	
Mr Carli	Mr Hulls	Mr Robinson	<i>Tellers</i>
Mr Cunningham	Ms Kosky	Mr Savage	Mr Cameron
Ms Davies	Mr Leighton	Mr Seitz	Mr Langdon
Ms Delahunty	Mr Lim	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Question – That the word proposed to be omitted stand part of the question – accordingly put.

The House divided.

AYES, 54

Mr Andrighetto	Mr Kennett	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 Reynolds	
Mr Elder	(Warrnambool)	Mr Richardson	
Mrs Elliott	Mr McGrath	Mr Rowe	
Mr Finn	(Wimmera)	Mr Ryan	
Mr Gude	Mr McLellan	Ms Shardey	
Mrs Henderson	(Frankston East)	Mr Smith	Tellers
Mr Honeywood	Mr Maclellan	(Polwarth)	Ms Burke
Mr Jasper	(Pakenham)	Mr Spry	Mr Kilgour
Mr Jenkins	Mr Maughan	Mr Steggall	Mr Smith
Mr John	Dr Napthine	Mr Stockdale	(Glen Waverley)

NOES, 28

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

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 5 November 1998.

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of the House on Tuesday, 20 October 1998 had expired.

- 18 **TRANSFER OF LAND (SINGLE REGISTER) 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 that funding from the \$4 million package to finance the changes to Land Titles is directed, as far as possible, to the Ballarat offices of NRE as some compensation for the Government's bungling cancellation of the \$40 million tender to computerise the Land Titles Office."

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

The House divided.

AYES, 54

Mr Andrighetto	Mr Kennett	Mr Paterson	Mrs Tehan
Mr Ashley	Mr Lean	Mr Perrin	Mr Thompson
Mr Clark	Mr Leigh	Mr Pertone	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	(Warrnambool)	Mr Richardson	
Mrs Elliott	Mr McGrath	Mr Rowe	
Mr Finn	(Wimmera)	Mr Ryan	
Mr Gude	Mr McLellan	Ms Shardey	
Mrs Henderson	(Frankston East)	Mr Smith	Tellers
Mr Honeywood	Mr MacLellan	(Polwarth)	Ms Burke
Mr Jasper	(Pakenham)	Mr Spry	Mr Kilgour
Mr Jenkins	Mr Maughan	Mr Steggall	Mr Smith
Mr John	Dr Napthine	Mr Stockdale	(Glen Waverley)

NOES, 26

Mr Andrianopoulos	Ms Delahunty	Mr Lim	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Loney	Mrs Wilson
Mr Bracks	Ms Garbutt	Mr Micallef	
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Tellers
Mr Carli	Mr Hulls	Mr Pandazopoulos	Mr Cameron
Mr Cunningham	Ms Kosky	Mr Robinson	Mr Langdon
Ms Davies	Mr Leighton	Mr Seitz	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 the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 19 **VICTORIAN COLLEGE OF THE ARTS (AMENDMENT) BILL** - Question - 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.
- 20 **RACING AND BETTING ACTS (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 November 1998.
- 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.
- Motion made and question proposed - That the debate be adjourned for two weeks (*Mr Reynolds*).
- Amendment proposed - That the word "two" be omitted with the view of inserting in place thereof the word "four" (*Mr Hulls*) - and, after debate -

Question – That the word proposed to be omitted stand part of the question – put.

The House divided.

AYES, 55

Mr Andrighetto	Mr Jenkins	Mr Maughan	Mr Spry
Mr Ashley	Mr John	Dr Naphthine	Mr Steggall
Mr Clark	Mr Kennett	Mr Paterson	Mr Stockdale
Mr Coleman	Mr Lean	Mr Perrin	Mrs Tehan
Mr Cooper	Mr Leigh	Mr Pertone	Mr Thompson
Ms Davies	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	(Wimmera)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	<i>Tellers</i>
Mr Gude	(Frankston East)	Mr Ryan	Ms Burke
Mrs Henderson	Mr McNamara	Ms Shardey	Mr Kilgour
Mr Honeywood	Mr Maclellan	Mr Smith	Mr Smith
Mr Jasper	(Pakenham)	(Polwarth)	(Glen Waverley)

NOES, 25

Mr Andrianopoulos	Mr Dollis	Mr Loney	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Micallef	
Mr Bracks	Mr Haermeyer	Mr Mildenhall	
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Ms Kosky	Mr Robinson	Mr Cameron
Mr Cunningham	Mr Leighton	Mr Seitz	Mr Langdon
Ms Delahunty	Mr Lim	Mr Thwaites	Mrs Maddigan

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 5 November 1998.

- 22 **LICENSING AND TRIBUNAL (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 Loney*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 5 November 1998.

- 23 **LEGAL AID (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, 5 November 1998.

- 24 **CHATTEL SECURITIES (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 November 1998.

25 **ELECTRICITY INDUSTRY 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 Loney*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 5 November 1998.

26 **GAS INDUSTRY ACTS (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 (*Mr Loney*) - put and agreed to.

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

Amendment proposed - That the word "two" be omitted with the view of inserting in place thereof the word "four" (*Mr Loney*) - and, after debate -

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

The House divided.

AYES, 49

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

NOES, 23

Mr Andrianopoulos	Mr Dollis	Mr Loney	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Micallef	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Mr Cameron
Mr Carli	Ms Kosky	Mr Robinson	Mr Langdon
Ms Delahunty	Mr Leighton	Mr Seitz	Mrs Maddigan

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 5 November 1998.

- 27 **MACKILLOP FAMILY SERVICES 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, 27 October 1998.
- 28 **BUILDING (PLUMBING) 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 Tuesday, 27 October 1998.
- 29 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 30 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 7.20 p.m., adjourned until Tuesday, 27 October 1998.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos. 36, 37 and 38

No. 36 - Tuesday, 27 October 1998

- 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:

Kindergarten Support - Seeking that the Government accepts responsibility for providing more support to kindergartens so as to – (a) lessen the enormous strain currently on volunteer committees; (b) cover wages of staff employed in kindergartens; and (c) provide more support for the increasing amount of administration work, bearing 781 signatures (*by Mr Brumby*)

Reticulated Sewerage Scheme – Shire of Loddon - Seeking that the reticulated sewerage scheme imposed by Coliban Water in the Shire of Loddon be overturned on economic hardship grounds, bearing 265 signatures (*by Ms Garbutt*)

Pre-school Education - Seeking that the Government accepts responsibility for providing more support to pre-schools in order to lessen the enormous strain currently on volunteer committees to fundraise for basic necessities, which are required to provide a proper pre-school education for all Victorian children, bearing 5,178 signatures (*by Ms Davies*)

Rosanna Rail Corridor - Seeking that the Government make safety through the Rosanna Rail Corridor a priority and install lockable gates within approximately 200 metres of Rosanna Station whilst trains are passing to ensure that people no longer walk across the tracks in front of passing trains, bearing 179 signatures (*by Mr Langdon*)

Privatisation of Austin and Repatriation Hospital - Seeking that the Government reconsider its decision to privatise the Austin and Repatriation Hospital and act to ensure that access to the hospital continues to be on the basis of health and not wealth, bearing 919 signatures (*by Mr Langdon*)

Severally ordered to lie on the Table.

- 4 **PETITION - KINDERGARTEN SUPPORT** - Motion made and question - That the petition presented by the Leader of the Opposition relating to the provision of support to kindergartens be taken into consideration tomorrow (*Mr Brumby*) - put and agreed to.
- 5 **PETITION - PRIVATISATION OF AUSTIN AND REPATRIATION HOSPITAL** - Motion made and question - That the petition presented by the Member for Ivanhoe relating to the privatisation of the Austin and Repatriation Hospital be taken into consideration tomorrow (*Mr Langdon*) - put and agreed to.

- 6 **PETITION - ROSANNA RAIL CORRIDOR** - Motion made and question - That the petition presented by the Member for Ivanhoe relating to the Rosanna Rail Corridor be taken into consideration tomorrow (*Mr Langdon*) - put and agreed to.
- 7 **PETITION - PRE-SCHOOL EDUCATION** - Motion made and question - That the petition presented by the Member for Gippsland West relating to the provision of basic necessities for pre-school education in Victoria be taken into consideration tomorrow (*Ms Davies*) - put and agreed to.
- 8 **PETITION - RETICULATED SEWERAGE SCHEME - SHIRE OF LODDON** - Motion made and question - That the petition presented by the Member for Bundoora relating to the reticulated sewerage scheme imposed by Coliban Water in the Shire of Loddon be taken into consideration tomorrow (*Ms Garbutt*) - put and agreed to.
- 9 **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 Health Service - Report for the year 1997-98
 - Bendigo Health Care Group - Report for the year 1997-98
 - Boort District Hospital - Report for the year 1997-98
 - Chief Electrical Inspector - Report of the Office for the year 1997-98
 - City West Water Limited - Report for the year 1997-98 (two papers)
 - Cohuna District Hospital and Cohuna Community Nursing Home - Report for the year 1997-98
 - Corangamite Regional Hospital Services - Report for the year 1997-98
 - EcoRecycle Victoria - Report for the year 1997-98
 - Environment Protection Authority - Report for the year 1997-98
 - Financial Management Act 1994 - Financial Statements for the State of Victoria for the year 1997-98 together with the audit report of the Auditor-General - Ordered to be printed
 - Financial Management Act 1994 -
 - Report from the Minister for Health that he had received the Chiropractors and Osteopaths Registration Board Report for the period 1 January 1997 to 30 June 1997
 - Reports from the Minister for Health that he had received the 1997-98 Annual Reports of the -
 - Beaufort and Skipton Health Service
 - Far East Gippsland Health and Support Service
 - Otway Health and Community Services
 - Penshurst and District Memorial Hospital
 - South Gippsland Hospital
 - Hastings Port (Holding) Corporation - Report for the period ended 30 June 1998
 - Inner and Eastern Health Care Network - Financial Statements for the year 1997-98
 - Intellectual Disability Review Panel - Report for the year 1997-98
 - Kerang and District Hospital - Report for the year 1997-98
 - Latrobe Regional Hospital - Report for the year 1997-98 (two papers)
 - McIvor Health and Community Services - Report for the year 1997-98

-
- Maldon Hospital and Community Care - Report for the year 1997-98
- Maryborough District Health Service - Report for the year 1997-98
- Melbourne Port Corporation - Report for the year 1997-98
- Mt Alexander Hospital - Report for the year 1997-98
- National Parks Act 1975 - Report on the workings of the Act for the year 1997-98
- 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 of the Review of Motorcycle Safety in Victoria 1998
- Peninsula Health Care Network - Report for the year 1997-98
- Pharmacy Board - Report for the year 1997-98
- Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
- Alberton Planning Scheme No. L47
 - Glen Eira Planning Scheme No. L23
 - Greater Bendigo Planning Scheme No. L78
 - Hume Planning Scheme No. L45
 - Moreland Planning Scheme No. L59
 - Nillumbik Planning Scheme No. L14
 - Pakenham Planning Scheme - No. L167
 - Stonnington Planning Scheme Nos. L33, L69
 - Yarra Ranges Planning Scheme No. L101
- Police Review Commission - Report for the year 1997-98
- Prevention of Cruelty to Animals Act 1986 -
- Revocation of a Code of Practice for the Care and Use of Animals for Scientific Procedures
 - Code of Practice for the Care and Use of Animals for Scientific Procedures (1998 Revision)
- Project Development and Construction Management Act 1994 - Orders in Council under sections 6 and 8 respectively and Statements under section 9 of reasons for making Nomination Orders (three papers)
- Southern Health Care Network - Report for the year 1997-98
- Statutory Rule under the Casino Control Act 1991 - S.R. No. 128
- Subordinate Legislation Act 1994 - Minister's exemption certificate in relation to Statutory Rule No. 128
- Swan Hill District Hospital - Report for the year 1997-98
- Terang and Mortlake Health Service - Report for the year 1997-98
- Victoria Police - Report for the year 1997-98
- Victorian Financial Institutions Commission - Report for the year 1997-98
- Victorian Plantations Corporation - Report for the year 1997-98
- West Gippsland Healthcare Group - Report for the year 1997-98
- Women's and Children's Health Care Network - Report for the year 1997-98
- Wycheproof and District Health Service - Report for the year 1997-98
- Zoological Parks and Gardens Board - Report for the year 1997-98.

- 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:

Arts Acts (Amendment) Bill
 Classification (Publications, Films and Computer Games) (Enforcement) (Amendment) Bill
 Land (Revocation of Reservations) Bill
 Mutual Recognition (Victoria) Bill
 Road Safety (Driving Instructors) Bill.

- 11 **SITTING OF THE HOUSE** – Motion made, by leave, and question - That – (a) on Wednesday, 11 November 1998, Mr Speaker do take the Chair at 12.00 noon; and (b) Sessional Orders be amended for that day so as to require General Business to take precedence over Government Business for two hours after the completion of Question Time (*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 8.00 p.m. on Thursday, 29 October 1998:

Liquor Control Reform Bill
 Melbourne Cricket Ground (Amendment) Bill
 Appeal Costs Bill
 Local Government (Governance and Melton) Bill
 Transport (Amendment) Bill
 Crimes (Amendment) Bill
 Patriotic Funds (Amendment) Bill
 Road Safety (Further Amendment) Bill
 Bail (Amendment) Bill
 MacKillop Family Services Bill
 Building (Plumbing) Bill

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

The House divided.

AYES, 52

Mr Andrighetto	Mr Kennett	Mr Paterson	Mr Stockdale
Mr Ashley	Mr Lean	Mr Perrin	Mr Thompson
Ms Burke	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 Doyle	Mrs McGill	(<i>Benambra</i>)	
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(<i>Wimmera</i>)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(<i>Frankston East</i>)	Mr Ryan	
Mrs Henderson	Mr McNamara	Ms Shardey	<i>Tellers</i>
Mr Honeywood	Mr Maclellan	Mr Smith	Mr Dixon
Mr Jasper	(<i>Pakenham</i>)	(<i>Polwarth</i>)	Mr Kilgour
Mr Jenkins	Mr Maughan	Mr Spry	Mr Smith
Mr John	Dr Napthine	Mr Steggall	(<i>Glen Waverley</i>)

NOES, 30

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

And so it was resolved in the affirmative.

- 13 **LAND TITLES VALIDATION (AMENDMENT) BILL** - Mr Kennett obtained leave, with Mr Gude, to bring in a Bill to "*to amend the Land Titles Validation Act 1994 to validate, in accordance with the Native Title Act 1993 of the Commonwealth, certain intermediate period acts and to confirm the effect on native title of certain acts, to amend the Pipelines Act 1967 and the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 14 **RAIL CORPORATIONS (FURTHER AMENDMENT) BILL** - Motion made and question proposed - 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.

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

Amendment proposed - That the word "two" be omitted with the view of inserting in place thereof the word "four" (*Mr Batchelor*) - and, after debate -

Motion made and question - That the question be now put (*Mr Savage*) - put.

The House divided.

AYES, 53

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

NOES, 28

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

And so it was resolved in the affirmative.

Question - That the word proposed to be omitted stand part of the question – accordingly put.

The House divided.

AYES, 51

Mr Andrighetto	Mr John	Dr Napthine	Mr Stockdale
Mr Ashley	Mr Kennett	Mr Paterson	Mr Thompson
Ms Burke	Mr Lean	Mr Perton	Mr Traynor
Mr Clark	Mr Leigh	Mrs Peulich	Mr Treasure
Mr Coleman	Mr Lupton	Mr Phillips	Mr Wells
Mr Cooper	Mr McArthur	Mr Plowman	
Dr Dean	Ms McCall	(<i>Benambra</i>)	
Mr Doyle	Mrs McGill	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>)	Ms Shardey	<i>Tellers</i>
Mrs Henderson	Mr McNamara	Mr Smith	Mr Dixon
Mr Honeywood	Mr Maclellan	(<i>Polwarth</i>)	Mr Kilgour
Mr Jasper	(<i>Pakenham</i>)	Mr Spry	Mr Smith
Mr Jenkins	Mr Maughan	Mr Steggall	(<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	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Micallef	<i>Tellers</i>
Mr Cameron	Mr Hamilton	Mr Mildenhall	Ms Delahunty
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Mr Cunningham	Ms Kosky	Mr Seitz	Mr Robinson

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Tuesday, 10 November 1998.

- 15 **STATE TAXATION (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 word "two" be omitted with the view of inserting in place thereof the word "four" (*Mr Bracks*) - and, after debate -

Motion made and question - That the question be now put (*Mr Ryan*) - put.

The House divided.

AYES, 55

Mr Andrighetto	Mr John	Mr Paterson	Mr Stockdale
Mr Ashley	Mr Kennett	Mr Perrin	Mr Thompson
Ms Burke	Mr Lean	Mr Perton	Mr Traynor
Mr Clark	Mr Leigh	Mrs Peulich	Mr Treasure
Mr Coleman	Mr Lupton	Mr Phillips	Mrs Wade
Mr Cooper	Mr McArthur	Mr Plowman	Mr Wells
Ms Davies	Ms McCall	(<i>Benambra</i>)	
Dr Dean	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	Ms Shardey	<i>Tellers</i>
Mrs Henderson	Mr Maclellan	Mr Smith	Mr Dixon
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, 27

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

And so it was resolved in the affirmative.

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

The House divided.

AYES, 54

Mr Andrighetto	Mr John	Dr Napthine	Mr Spry
Mr Ashley	Mr Kennett	Mr Paterson	Mr Steggall
Ms Burke	Mr Lean	Mr Perrin	Mr Stockdale
Mr Clark	Mr Leigh	Mr Pertone	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 Doyle	Mrs McGill	(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	Tellers
Mrs Henderson	Mr McNamara	Mr Savage	Mr Dixon
Mr Honeywood	Mr Maclellan	Ms Shardey	Mr Kilgour
Mr Jasper	(Pakenham)	Mr Smith	Mr Smith
Mr Jenkins	Mr Maughan	(Polwarth)	(Glen Waverley)

NOES, 28

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

And so it was resolved in the affirmative.

Ordered – That the debate be adjourned until Tuesday, 10 November 1998.

- 16 **LIQUOR CONTROL REFORM 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) there has been extensive and broad-based community discussion and debate on all the issues canvassed by the 'Liquor Control Act 1987 Review' and the details of the Bill as was done following the Nieuwenhuisen recommendations and the 1987 Liquor Control Bill; (b) further consideration is given to limiting the percentage of General Licences able to be held by any one licence holder; and (c) provision is made for a fully independent Liquor Control Authority and the appropriate notification and appeals processes for the granting and variation of liquor licences" (Mr Haermeyer).

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

Motion made and question proposed - That the debate be adjourned until later this day (Mr Reynolds) - put.

The House divided.

AYES, 48

Mr Andrighetto	Mr Jenkins	Mr Paterson	Mr Stockdale
Mr Ashley	Mr John	Mr Perrin	Mr Thompson
Ms Burke	Mr Lean	Mr Perton	Mr Traynor
Mr Clark	Mr Leigh	Mrs Peulich	Mr Treasure
Mr Coleman	Mr Lupton	Mr Phillips	Mr Wells
Mr Cooper	Ms McCall	Mr Plowman	
Dr Dean	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	Tellers
Mr Gude	Mr Maclellan	Ms Sharkey	Mr Dixon
Mrs Henderson	(Pakenham)	Mr Smith	Mr Kilgour
Mr Honeywood	Mr Maughan	(Polwarth)	Mr Smith
Mr Jasper	Dr Napthine	Mr Spry	(Glen Waverley)

NOES, 30

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

And so it was resolved in the affirmative.

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

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

- Planning and Environment (Amendment) Bill
- National Parks (Amendment) Bill
- Land (Further Revocation and Reservations) Bill.

18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Fundraising Appeals Bill with amendments.

Motion made and question - That the said amendments be printed and taken into consideration tomorrow (*Mr Reynolds*) - put.

The House divided.

AYES, 50

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

NOES, 30

Mr Andrianopoulos	Mr Cole	Ms Kosky	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	Ms Gillett	Mrs Maddigan	Tellers
Mr Cameron	Mr Haermeyer	Mr Micallef	Ms Delahunty
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Mr Langdon
Mr Carli	Mr Hulls	Mr Pandazopoulos	Mr Robinson

And so it was resolved in the affirmative.

- 19 **MELBOURNE CRICKET GROUND (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.

The House divided.

AYES, 75

Mr Andrianopoulos	Ms Gillett	Ms McCall	Mr Thompson
Mr Andrighetto	Mr Gude	Mr McGrath	Mr Thwaites
Mr Ashley	Mr Haermeyer	(<i>Wimmera</i>)	Mr Traynor
Mr Baker	Mr Hamilton	Mr Micallef	Mr Treasure
Mr Batchelor	Mrs Henderson	Mr Mildenhall	Mr Wells
Mr Bracks	Mr Honeywood	Dr Napthine	Mrs Wilson
Mr Brumby	Mr Hulls	Mr Pandazopoulos	
Ms Burke	Mr Jasper	Mr Paterson	
Mr Cameron	Mr Jenkins	Mr Perrin	
Mrs Campbell	Mr John	Mr Perton	
Mr Carli	Ms Kosky	Mrs Peulich	
Mr Clark	Mr Langdon	Mr Phillips	
Mr Coleman	Mr Lean	Mr Reynolds	
Mr Cooper	Mr Leigh	Mr Richardson	
Mr Cunningham	Mr Leighton	Mr Robinson	
Dr Dean	Mr Lim	Mr Rowe	
Ms Delahunty	Mr Loney	Mr Ryan	
Mr Dollis	Mr Lupton	Mr Seitz	
Mr Doyle	Mr Maclellan	Ms Shardey	<i>Tellers</i>
Mr Elder	(<i>Pakenham</i>)	Mr Smith	Mr Dixon
Mrs Elliott	Mrs Maddigan	(<i>Polwarth</i>)	Mr Kilgour
Mr Finn	Mr Maughan	Mr Spry	Mr Smith
Ms Garbutt	Mr McArthur	Mr Stockdale	(<i>Glen Waverley</i>)

NOES, 3

Tellers

Ms Davies
 Mr McLellan
 (*Frankston East*)
 Mr Savage

And so it was resolved in the affirmative.

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

Motion made and question proposed - That the debate be now adjourned (*Mr McArthur*) – and, after debate –

Motion made and question – That the question be now put (*Mr Maclellan, Pakenham*) – put.

The House divided.

AYES, 51

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

NOES, 30

Mr Andrianopoulos	Mr Cole	Ms Kosky	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	Ms Gillett	Mrs Maddigan	Tellers
Mr Cameron	Mr Haermeyer	Mr Micallef	Ms Delahunty
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Mr Langdon
Mr Carli	Mr Hulls	Mr Pandazopoulos	Mr Robinson

And so it was resolved in the affirmative.

Question – accordingly put and agreed to.

Motion made and question proposed – That the debate be adjourned until later this day (*Mr Maclellan, Pakenham*).

Amendment proposed – That the words "later this day" be omitted with a view to inserting in place thereof the word "tomorrow" (*Mr Batchelor*) – put, after debate, and agreed to.

Ordered – That the debate be adjourned until tomorrow.

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

International Transfer of Prisoners (Victoria) Bill
Legal Practice (Amendment) Bill.

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

Mr Maclellan, Pakenham, for Mrs Wade, made a statement of intention in lieu of the statement previously given on Thursday, 22 October 1998 required by section 85(5)(c) of the Constitution Act 1975 – and, after debate -

Motion made and question proposed - That the debate be now adjourned (*Dr Dean*) – and, after debate.

And the House having continued to sit after 12 midnight -

WEDNESDAY, 28 OCTOBER 1998

Question – put.

The House divided.

AYES, 53

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

NOES, 30

Mr Andrianopoulos	Mr Cole	Ms Kosky	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	Ms Gillett	Mrs Maddigan	<i>Tellers</i>
Mr Cameron	Mr Haermeyer	Mr Micallef	Ms Delahunty
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Mr Langdon
Mr Carli	Mr Hulls	Mr Pandazopoulos	Mr Robinson

And so it was resolved in the affirmative.

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

22 **LOCAL GOVERNMENT (GOVERNANCE AND MELTON) 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.

Motion made and question proposed - That the debate be now adjourned (*Mr Finn*) – and, after debate –

Motion made and question – That the question be now put (*Mr Gude*) – put.

The House divided.

AYES, 51

Mr Andrighetto	Mr Jenkins	Mr Paterson	Mr Stockdale
Mr Ashley	Mr John	Mr Perrin	Mr Thompson
Ms Burke	Mr Lean	Mr Perton	Mr Traynor
Mr Clark	Mr Leigh	Mrs Peulich	Mr Treasure
Mr Coleman	Mr Lupton	Mr Phillips	Mr Wells
Mr Cooper	Mr McArthur	Mr Plowman	
Ms Davies	Ms McCall	(<i>Benambra</i>)	
Dr Dean	Mr McGrath	Mr Reynolds	
Mr Doyle	(<i>Wimmera</i>)	Mr Richardson	
Mr Elder	Mr McLellan	Mr Ryan	
Mrs Elliott	(<i>Frankston East</i>)	Mr Savage	
Mr Finn	Mr McNamara	Mrs Shardey	<i>Tellers</i>
Mr Gude	Mr Maclellan	Mr Smith	Mr Dixon
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>)

NOES, 27

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

And so it was resolved in the affirmative.

Question – accordingly put.

The House divided.

AYES, 51

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

NOES, 27

Mr Andrianopoulos	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	<i>Tellers</i>
Mrs Campbell	Ms Kosky	Mr Seitz	Ms Delahunty
Mr Carli	Mr Leighton	Mr Thwaites	Mr Langdon
Mr Cunningham	Mr Lim	Mrs Wilson	Mr Robinson

And so it was resolved in the affirmative.

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

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 3.00 a.m., adjourned until later this day.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 37 - Wednesday, 28 October 1998

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

Mildura Base Hospital - Seeking that the current Mildura Base Hospital be appropriately refurbished and resourced solely by the Government and that plans for privatisation be abandoned immediately, bearing 1,429 signatures (*by Mr Savage*)

Ordered to lie on the Table.
- 3 **PETITION – MILDURA BASE HOSPITAL** - Motion made and question - That the petition presented by the Member for Mildura relating to the Mildura Base Hospital be taken into consideration tomorrow (*Mr Savage*) - put and agreed to.
- 4 **PAPERS –**
Mr Speaker presented:

Auditor-General – Special Report No. 58 on the State Revenue Office: A customer service focus towards improving taxation collection.

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:

 - Cinemia Corporation – Report for the year 1997-98
 - Greyhound Racing Control Board – Report for the year 1997-98
 - Hospitals Superannuation Board – Report for the year 1997-98
 - Liquor Licensing Commission – Report for the year 1997-98
 - Parliamentary Contributory Superannuation Fund – Report for the year 1997-98
 - State Library of Victoria – Report for the year 1997-98
 - Victorian Channels Authority – Report for the year 1997-98
 - Victorian Institute of Sport – Report for the year 1997-98
 - Victorian Superannuation Board – Report for the year 1997-98.
- 5 **ADJOURNMENT MOTION – MELBOURNE MARKET AUTHORITY** - Mr Brumby proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

"The 1998 Annual Report of the Melbourne Market Authority showing an 18% fall in operating profit before finance charges and abnormal items, from \$3.27 million in 1996-97 to \$2.67 million in 1997-98, and a 26% increase in administration expenses, from \$1.15 million in 1996-97 to \$1.45 million in 1997-98."

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, 31

Mr Andrianopoulos	Ms Davies	Mr Lim	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	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Savage	Ms Delahunty
Mr Carli	Ms Kosky	Mr Seitz	Mr Langdon
Mr Cunningham	Mr Leighton	Mr Thwaites	Mr Robinson

NOES, 46

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

And so it passed in the negative.

- 6 **VICTORIA'S SPORT AND RECREATION INDUSTRY** - Motion made and question proposed - That this House congratulates the Government on its examination of the dimensions and economic value of the sport and recreation industry in Victoria as detailed in "The Business of Sport" publication; recognising the economic and social importance of the sport and recreation industry to the community and the State, the involvement of volunteers, local sporting clubs, state associations, regional sports assemblies, associated businesses such as fitness and leisure centres, sports clothing and goods manufacturers, events etc.; establishment of the Sport and Recreation Industry Awards to recognise and reward achievements by organisations and individuals involved in or contributing to the sport, fitness, racing, outdoor and community recreation in Victoria through research, export, management, safety or other initiatives (*Mr Traynor*) - 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 **MAGISTRATES' COURT (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill to "*to amend the Magistrates' Court Act 1989, the Supreme Court Act 1986, the County Court Act 1958, the Crimes Act 1958, the Children and Young Persons Act 1989 and 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.

- 9 **CRIMES, CONFISCATION AND EVIDENCE ACTS (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill "to amend the *Crimes Act 1958*, the *Confiscation Act 1997* and the *Evidence 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.
- 10 **LAND TITLES VALIDATION (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 Hamilton*) - put and agreed to.
- Motion made and question proposed - That the debate be adjourned until Tuesday week (*Mr Kennett*).
- Amendment proposed - That the words "until Tuesday week" be omitted with the view of inserting in place thereof the words "for six months" (*Mr Hamilton*) - and, after debate -
- Motion made and question - That the question be now put (*Mr Dixon*) - put and agreed to.
- Question - That the words proposed to be omitted stand part of the question - accordingly put.
- The House divided.

AYES, 49

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

NOES, 29

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

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Tuesday, 10 November 1998.

- 11 **FUNDRAISING APPEALS 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.

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

Pursuant to Sessional Orders, Mr Cooper 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 full transport industry and community consultation has taken place on the need for and impact of - (i) taxi licence issue being stripped from the Governor in Council and given to the Minister; (ii) any introduction of an "as of right" licence option for 8-12 seater vehicles; and (iii) VicRoads conducting lease and licence negotiations in accordance with policies determined by the Minister" (*Mr Batchelor*) - 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 Jenkins	Mr Maughan	Mr Steggall
Mr Ashley	Mr John	Dr Naphthine	Mr Stockdale
Ms Burke	Mr Kennett	Mr Paterson	Mr Thompson
Mr Clark	Mr Lean	Mr Perrin	Mr Traynor
Mr Coleman	Mr Leigh	Mrs Peulich	Mr Treasure
Mr Cooper	Mr Lupton	Mr Phillips	Mrs Wade
Dr Dean	Ms McCall	Mr Plowman	Mr Wells
Mr Doyle	Mrs McGill	(<i>Benambra</i>)	
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(<i>Wimmera</i>)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Ryan	<i>Tellers</i>
Mr Gude	(<i>Frankston East</i>)	Ms Shardey	Mr Dixon
Mrs Henderson	Mr McNamara	Mr Smith	Mr Kilgour
Mr Honeywood	Mr Maclellan	(<i>Polwarth</i>)	Mr Smith
Mr Jasper	(<i>Pakenham</i>)	Mr Spry	(<i>Glen Waverley</i>)

NOES, 32

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	Mrs Maddigan	
Mr Brumby	Ms Gillett	Mr Micallef	
Mr Cameron	Mr Haermeyer	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Ms Delahunty
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Mr Cole	Ms Kosky	Mr Seitz	Mr Robinson

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

NOES, 32

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	Mrs Maddigan	
Mr Brumby	Ms Gillett	Mr Micallef	
Mr Cameron	Mr Haermeyer	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Ms Delahunty
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Mr Cole	Ms Kosky	Mr Seitz	Mr Robinson

And so it was resolved in the affirmative.

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

- 13 **CRIMES (AMENDMENT) 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 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 without amendment; read a third time.

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

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Consumer Credit (Finance Brokers) Bill with amendments.

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

- 15 **CONSUMER CREDIT (FINANCE BROKERS) BILL** - Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time.

On the motion of Mrs Wade and, after debate – amendment Nos 1-5 inclusive agreed to.

Motion made and question – That amendment No. 6 be agreed to (*Mrs Wade*) – put.

The House divided.

AYES, 47

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

NOES, 29

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

And so it was resolved in the affirmative.

Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.

16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Conservation, Forests and Lands (Miscellaneous Amendments) Bill without amendment.

17 **PATRIOTIC FUNDS (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 (*Mrs Wade*) - 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.

18 **ROAD SAFETY (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 a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.

19 **BAIL (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.

20 **MACKILLOP FAMILY SERVICES BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Madam 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 (*Dr Napthine*) - 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 -

THURSDAY, 29 OCTOBER 1998

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

NOES, 27

Mr Andrianopoulos	Ms Garbutt	Mr Loney	
Mr Batchelor	Ms Gillett	Mrs Maddigan	
Mr Bracks	Mr Haermeyer	Mr Micallef	
Mrs Campbell	Mr Hamilton	Mr Mildenhall	
Mr Carli	Mr Hulls	Mr Pandazopoulos	<i>Tellers</i>
Mr Cunningham	Ms Kosky	Mr Savage	Mr Cameron
Ms Davies	Mr Leighton	Mr Seitz	Ms Delahunty
Mr Dollis	Mr Lim	Mr Thwaites	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 a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.

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

23 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 1.14 a.m., adjourned until later this day.

P. J. MITHEN
Clerk of the Legislative Assembly

S.J. PLOWMAN
Speaker

No. 38 - Thursday, 29 October 1998

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **RAIL CORPORATIONS (FURTHER AMENDMENT) BILL** – Pursuant to section 85 of the *Constitution Act 1975* Mr Gude, for Mr Cooper, gave notice of Mr Cooper's intention to make a statement of the reasons why that section should be altered or varied by clause 15 of the Rail Corporations (Further Amendment) Bill (which inserts a new section 105 in the Rail Corporations Act 1996) in lieu of the statement in the Second reading speech made on Tuesday, 27 October 1998 in relation to a wrongly cited clause 205 of the Bill (which referred to a section 59T in the Rail Corporations Act 1996).
- 3 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:

Pre-school Education - Seeking that the Government accepts responsibility for providing more support to pre-schools in order to lessen the enormous strain currently on volunteer committees to fundraise for basic necessities, which are required to provide a proper pre-school education for all Victorian children, bearing 34 signatures (*by Mrs Campbell*).

Ordered to lie on the Table.
- 4 **PETITION – PRE-SCHOOL EDUCATION** - Motion made and question - That the petition presented by the Member for Pascoe Vale relating to the provision of basic necessities for pre-school education in Victoria be taken into consideration tomorrow (*Mrs Campbell*) - put and agreed to.
- 5 **PAPERS** -

FEDERAL-STATE RELATIONS COMMITTEE - Mr John, Chairman, brought up a Report from the Federal-State Relations Committee on Australian Federalism: 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.
- 6 **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 1997-98
 - Building Control Commission - Report for the year 1997-98
 - Docklands Authority – Report for the year 1997-98 (two papers)
 - Gascor - Report for the year 1997-98
 - Gascor Holdings No. 1 Pty Ltd - Report for the year 1997-98
 - Gascor Holdings No. 2 Pty Ltd – Report for the year 1997-98
 - Gascor Holdings No. 3 Pty Ltd – Report for the year 1997-98
 - Gasmart – Report for the period 26 June 1997 to 30 June 1998
 - Gas Services Business Pty Ltd – Report for the period 26 June 1997 to 30 June 1998
 - Gas Transmission Corporation - Report for the year 1997-98
 - Geelong Performing Arts Centre Trust – Report for the year 1997-98
 - Heritage Council - Report for the year 1997-98
 - Infrastructure Department – Report for the year 1997-98

Loy Yang B Power Station Pty Ltd - Report for the year 1997-98
 Marine Board of Victoria – Report for the year 1997-98
 Melbourne City Link Authority - Report for the year 1997-98
 Melbourne Port Corporation - Financial Statements for the year 1997-98
 Mental Health Review Board and Psychosurgery Review Board – Report for the year 1997-98
 Murray Valley Wine Grape Industry Negotiating Committee – Report for the year 1997-98
 Museums Board of Victoria (Museum Victoria) – Report for the year 1997-98
 Plumbing Industry Board – Report for the period 24 March 1997 to 30 June 1998
 Port of Geelong Authority – Report for the period ended 10 December 1997
 Port of Melbourne Authority – Report for the period ended 10 December 1997
 Port of Portland Authority – Report for the period ended 10 December 1997
 PowerNet Victoria – Report for the year 1997-98
 Premier and Cabinet Department – Report for the year 1997-98
 Public Service Commissioner – Report for the year 1997-98
 Public Transport Corporation – Report for the year 1997-98
 Quiet Life limited - Report for the year 1997-98
 Regulator-General – Report of the Office for the year 1997-98
 Roads Corporation (VicRoads) – Report for the year 1997-98
 Southern Hydro Limited – Report for the period 1 July 1997 to 18 December 1997
 State Electricity Commission of Victoria - Report for the year 1997-98
 Terec Limited (formerly Southern Hydro Limited) – Report for the year 1997-98
 Transmission Pipelines Australia - Report for the year 1997-98
 Vencorp (Victorian Energy Networks Corporation) – Report for the year 1997-98
 Victorian Arts Centre Trust - Report for the year 1997-98
 Victorian Electricity Metering Pty Ltd – Report for the period 17 July 1997 to 30 June 1998
 Victorian Power Exchange Pty Ltd – Report for the year 1997-98.

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

Petroleum Bill
 Victorian Institute of Marine Sciences (Repeal) Bill
 Health Services (Further Amendment) Bill.

8 SITTING OF THE HOUSE - Motion made and question - That the House, at its rising, adjourn until Tuesday, 10 November 1998 (*Mr Gude*) - put and agreed to.

9 MAGISTRATES' COURT (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 Hulls*) - put and agreed to.
 Ordered, after debate - That the debate be adjourned until Thursday, 12 November 1998.

- 10 **CRIMES, CONFISCATION AND EVIDENCE 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 Hulls*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 12 November 1998.

- 11 **LIQUOR CONTROL REFORM 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) there has been extensive and broad-based community discussion and debate on all the issues canvassed by the 'Liquor Control Act 1987 Review' and the details of the Bill as was done following the Nieuwenhuisen recommendations and the 1987 Liquor Control Bill; (b) further consideration is given to limiting the percentage of General Licences able to be held by any one licence holder; and (c) provision is made for a fully independent Liquor Control Authority and the appropriate notification and appeals processes for the granting and variation of liquor licences"; debate resumed.

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

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

- 13 **LIQUOR CONTROL REFORM 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 - (a) there has been extensive and broad-based community discussion and debate on all the issues canvassed by the 'Liquor Control Act 1987 Review' and the details of the Bill as was done following the Nieuwenhuisen recommendations and the 1987 Liquor Control Bill; (b) further consideration is given to limiting the percentage of General Licences able to be held by any one licence holder; and (c) provision is made for a fully independent Liquor Control Authority and the appropriate notification and appeals processes for the granting and variation of liquor licences".

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

The House divided.

AYES, 53

Mr Andrighetto	Mr Kennett	Mr Paterson	Mr Stockdale
Mr Ashley	Mr Lean	Mr Perrin	Mr Thompson
Ms Burke	Mr Leigh	Mr Perton	Mr Traynor
Mr Clark	Mr Lupton	Mrs Peulich	Mr Treasure
Mr Coleman	Mr McArthur	Mr Phillips	Mr Wells
Mr Cooper	Ms McCall	Mr Plowman	
Dr Dean	Mrs McGill	(<i>Benambra</i>)	
Mr Doyle	Mr McGrath	Mr Reynolds	
Mr Elder	(<i>Warrnambool</i>)	Mr Richardson	
Mrs Elliott	Mr McGrath	Mr Rowe	
Mr Finn	(<i>Wimmera</i>)	Mr Ryan	
Mr Gude	Mr McLellan	Mr Savage	
Mrs Henderson	(<i>Frankston East</i>)	Ms Shardey	<i>Tellers</i>
Mr Honeywood	Mr McNamara	Mr Smith	Mr Dixon
Mr Jasper	Mr Maclellan	(<i>Polwarth</i>)	Mr Kilgour
Mr Jenkins	(<i>Pakenham</i>)	Mr Spry	Mr Smith
Mr John	Dr Napthine	Mr Steggall	(<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	Mrs Maddigan	<i>Tellers</i>
Mr Cameron	Mr Haermeyer	Mr Micallef	Ms Delahunty
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Mr Langdon
Mr Carli	Mr Hulls	Mr Pandazopoulos	Mr Robinson

And so it was resolved in the affirmative.

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

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

The House divided.

AYES, 52

Mr Andrighetto	Mr John	Dr Naphthine	Mr Steggall
Mr Ashley	Mr Kennett	Mr Paterson	Mr Stockdale
Ms Burke	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	Mr Wells
Dr Dean	Ms McCall	Mr Plowman	
Mr Doyle	Mrs McGill	<i>(Benambra)</i>	
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	<i>(Warrnambool)</i>	Mr Richardson	
Mr Finn	Mr McGrath	Mr Rowe	
Mr Gude	<i>(Wimmera)</i>	Mr Ryan	<i>Tellers</i>
Mrs Henderson	Mr McNamara	Ms Shardey	Mr Dixon
Mr Honeywood	Mr Maclellan	Mr Smith	Mr Kilgour
Mr Jasper	<i>(Pakenham)</i>	<i>(Polwarth)</i>	Mr Smith
Mr Jenkins	Mr Maughan	Mr Spry	<i>(Glen Waverley)</i>

NOES, 32

Mr Andrianopoulos	Ms Davies	Mr Lim	Mr Seitz
Mr Baker	Mr Dollis	Mr Loney	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr McLellan	Mrs Wilson
Mr Bracks	Ms Gillett	<i>(Frankston East)</i>	
Mr Brumby	Mr Haermeyer	Mrs Maddigan	
Mr Cameron	Mr Hamilton	Mr Micallef	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Mildenhall	Ms Delahunty
Mr Carli	Ms Kosky	Mr Pandazopoulos	Mr Langdon
Mr Cunningham	Mr Leighton	Mr Savage	Mr Robinson

And so it was resolved in the affirmative.

- 14 **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 – Report for the year 1997-98.

- 15 **LOCAL GOVERNMENT (GOVERNANCE AND MELTON) 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 Kennett	Dr Napthine	Mr Spry
Mr Ashley	Mr Lean	Mr Paterson	Mr Steggall
Ms Burke	Mr Leigh	Mr Perrin	Mr Stockdale
Mr Clark	Mr Lupton	Mr Perton	Mr Thompson
Mr Coleman	Mr McArthur	Mrs Peulich	Mr Traynor
Mr Cooper	Ms McCall	Mr Phillips	Mr Treasure
Dr Dean	Mrs McGill	Mr Plowman	Mr Wells
Mr Doyle	Mr McGrath	(Benambra)	
Mr Elder	(Wimmera)	Mr Reynolds	
Mr Finn	Mr McLellan	Mr Richardson	
Mr Gude	(Frankston East)	Mr Rowe	Tellers
Mrs Henderson	Mr McNamara	Mr Ryan	Mr Dixon
Mr Jasper	Mr MacLellan	Ms Shardey	Mr Kilgour
Mr Jenkins	(Pakenham)	Mr Smith	Mr Smith
Mr John	Mr Maughan	(Polwarth)	(Glen Waverley)

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	Mrs Maddigan	Tellers
Mr Cameron	Mr Haermeyer	Mr Mildenhall	Ms Delahunty
Mrs Campbell	Mr Hamilton	Mr Savage	Mr Langdon
Mr Carli	Mr Hulls	Mr Seitz	Mr Robinson

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.

16 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No 5, be postponed until later this day.

17 **APPEAL COSTS 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 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.

18 **MELBOURNE CRICKET GROUND (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 the House on Tuesday, 27 October 1998 had expired.

Question - put.

The House divided.

AYES, 44

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

NOES, 27

Mr Andrianopoulos	Mr Cunningham	Ms Kosky	Mr Seitz
Mr Batchelor	Ms Davies	Mr Leighton	Mr Thwaites
Mr Bracks	Mr Dollis	Mr Lim	Mrs Wilson
Mr Brumby	Ms Garbutt	Mr Loney	Tellers
Mr Cameron	Mr Haermeyer	Mrs Maddigan	Ms Delahunty
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Mr Langdon
Mr Carli	Mr Hulls	Mr Savage	Mr Robinson

And so it was resolved in the affirmative.

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.

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 8.54 p.m., adjourned until Tuesday, 10 November 1998.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos. 39, 40, 41 and 42

No. 39 – Tuesday, 10 November 1998

- 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:
 - Bendigo Casino** - Seeking that a casino will not be established in Bendigo, bearing 1,082 signatures (*by Mr Cameron*)
 - St Joseph's Presbytery, Warragul** - Seeking that St Joseph's Presbytery, 3 Witton Street Warragul, referred to as 4 Connor Street Warragul, be free from all Planned Heritage Schemes and Overlays, bearing 437 signatures (*by Mr Andrighetto*).Severally ordered to lie on the Table.
- 4 **PETITION – BENDIGO CASINO** - Motion made and question - That the petition presented by the Member for Bendigo West relating to a casino in Bendigo be taken into consideration tomorrow (*Mr Cameron*) - put and agreed to.
- 5 **PETITION – ST JOSEPH'S PRESBYTERY, WARRAGUL** - Motion made and question - That the petition presented by the Member for Narracan relating to St Joseph's Presbytery, Warragul, be taken into consideration tomorrow (*Mr Andrighetto*) - put and agreed to.
- 6 **PAPERS** -
 - AUDITOR-GENERAL'S REPORT ON THE VICTORIAN GOVERNMENT'S FINANCES** - Motion made, by leave, and question - That there be presented to this House a copy of the Auditor-General's Report on the Victorian Government's Finances, 1997-98 (*Mr Stockdale*) - put and agreed to.The said report was presented by Mr Stockdale and ordered to lie on the Table and to be printed.
 - PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Bracks, brought up the Annual Report from the Public Accounts and Estimates Committee for 1997-98 together with Appendices.Ordered to lie on the Table and 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. 8 of 1998 on the -

Chattel Securities (Amendment) Bill
 Consumer Credit (Finance Brokers) Bill
 Crimes, Confiscation and Evidence Acts (Amendment) Bill
 Electricity Industry Acts (Amendment) Bill
 Gaming Acts (Further Amendment) Bill
 Gas Industry (Amendment) Bill
 Health Services (Further Amendment) Bill
 Land Titles Validation (Amendment) Bill
 Legal Aid (Amendment) Bill
 Licensing Tribunal (Amendment) Bill
 Local Government (Nillumbik Shire Council) Bill
 Melbourne City Link (Amendment) Bill
 Mutual Recognition (Victoria) Bill
 Petroleum Bill
 Racing and Betting Acts (Amendment) Bill
 Rail Corporation (Further Amendment) Bill
 State Taxation (Further Amendment) Bill

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:

Adult, Community and Further Education Board - Report for the year 1997-98

Agriculture Victoria Services Pty Ltd - Report for the year 1997-98

Ambulance Service Victoria - Reports for the year 1997-98 of the -

Metropolitan Region
 North Eastern Region
 North Western Region
 South Eastern Region
 South Western Region
 Western Region

Anti-Discrimination Tribunal - Report for the year 1997-98

Australian Barley Board - Report for the year 1997-98

Australian Grand Prix Corporation - Report for the year 1997-98

Barwon Health - Report for the year 1997-98

Barwon Region Water Authority - Report for the year 1997-98

Beechworth Hospital - Report for the year 1997-98

Benalla and District Memorial Hospital - Report for the year 1997-98

Board of Studies - Report for the year 1997-98

Central Gippsland Region Water Authority - Report for the year 1997-98

Central Highlands Region Water Authority - Report for the year 1997-98

Coliban Region Water Authority - Report for the year 1997-98

Country Fire Authority - Report for the year 1997-98

Crown Land (Reserves) Act 1978 – Section 17DA Orders granting under –
Section 17B a licence by the Frankston City Council

Section 17D – leases by the -
Greater Geelong City Council
City of Moonee Valley

Dental Health Services Victoria – Report for the year 1997-98

East Gippsland Region Water Authority – Report for the year 1997-98

Echuca Regional Health - Report for the year 1997-98

Education Department - Report for the year 1997-98

Emerald Tourist Railway Board – Report for the year 1997-98

Environment Conservation Council – Report for the year 1997-98

Fair Trading and Business Affairs – Report of the Office for the year 1997-98 – Ordered to be printed

Financial Management Act 1994 –

Report from the Minister for Agriculture and Resources that he had received the 1997 Annual Report of the Veterinary Board of Victoria

Report from the Minister for Agriculture and Resources that he had received the 1997-98 Annual Report of the Victorian Strawberry Industry Development Committee

Report from the Minister for Conservation and Land Management that she had received the 1997-98 Annual Report of Trust for Nature (Victoria)

Reports from the Minister for Health that he had received the 1997-98 Annual Reports of the –

Advanced Dental Technicians Qualifications Board

Alexandra District Hospital

Casterton Memorial Hospital

Cobram District Hospital

Dental Technicians Licensing Committee

Dunmunkle Health Services

Kilmore and District Hospital

Maffra District Hospital

Mansfield District Hospital

Nathalia District Hospital

Numurkah District Health Service

Nurses Board

Omeo District Hospital

Tallangatta District Hospital

Upper Murray Health and Community Services

Yarram and District Health Service

Yarrawonga District Hospital

Yea and District Memorial Hospital

First Mildura Irrigation Trust – Report for the year 1997-98

GasSafe – Report for the year 1997-98

Gippsland and Southern Rural Water Authority – Report for the year 1997-98

Glenelg Region Water Authority – Report for the year 1997-98

Goulburn-Murray Rural Water Authority – Report for the year 1997-98

- Goulburn Valley Base Hospital – Report for the year 1997-98 (two papers)
- Goulburn Valley Region Water Authority – Report for the year 1997-98
- Grampians Region Water Authority – Report for the year 1997-98
- Health Services Act 1988 – Report of the Community Visitors for the year 1997-98 –
Ordered to be printed
- Human Services Department – Report for the year 1997-98
- Infertility Treatment Authority – Report for the period 30 June 1996 to 30 September 1998
- Ingelwood and Districts Health Service - Report for the year 1997-98
- Intellectually Disabled Persons' Services Act 1986 – Report of the Community Visitors for
the year 1997-98
- Justice Department - Report for the year 1997-98
- Kyabram and District Memorial Community Hospital - Report for the year 1997-98
- Kyneton District Health Service - Report for the year 1997-98
- Legal Ombudsman - Report for the year 1997-98 – Ordered to be printed
- Legal Practitioners Liability Committee - Report for the year 1997-98
- Local Authorities Superannuation Board – Report for the year 1997-98
- Lorne Community Hospital – Report for the year 1997-98 (two papers)
- Lower Murray Region Water Authority – Report for the year 1997-98
- Mallee Track Health and Community Service - Report for the year 1997-98
- Manangatang and District Hospital – Report for the year 1997-98
- Marine and Freshwater Resources Institute – Report for the year 1997-98
- Melbourne Convention and Exhibition Trust – Report for the year 1997-98
- Melbourne Sports and Aquatic Centre Trust – Report for the year 1997-98
- Melbourne Water Corporation – Report for the year 1997-98
- Members of Parliament (Register of Interests) Act 1978 – Cumulative Summary of
Returns October 1998 – Ordered to be printed
- Mildura Base Hospital – Report for the year 1997-98
- National Gallery of Victoria – Report of the Council of Trustees for the year 1997-98
- Natural Resources and Environment Department – Report for the year 1997-98
(two papers)
- North East Region Water Authority – Report for the year 1997-98
- Ombudsman and Deputy Ombudsman (Police Complaints) – Report for the year 1997-98
– Ordered to be printed
- Overseas Projects Corporation of Victoria – Report for the year 1997-98
- Planning and Environment Act 1987 –
- Notice of approval of the new Port Phillip Planning Scheme
 - Notices of approval of amendments to the following Planning Schemes:
 - Corangamite Planning Scheme No. L10
 - Darebin Planning Scheme No. L58
 - Delatite Planning Scheme Nos. L9, L15
 - Greater Bendigo Planning Scheme No. L75

- Greater Geelong Planning Scheme No. L228
- Hastings Planning Scheme - No. L131
- Hume Planning Scheme No. L48
- Korumburra Planning Scheme No. L71
- Melbourne Planning Scheme No. L256
- Melton Planning Scheme No. L92
- Monash Planning Scheme Nos. L7, L50, L52
- Moonee Valley Planning Scheme No. L36
- Moreland Planning Scheme No. L70
- Pakenham Planning Scheme No. L165
- Stonnington Planning Scheme No. L45
- Whitehorse Planning Scheme No. L36
- Yarra Planning Scheme No. L80
- Yarra Ranges Planning Scheme Nos. L99, L102
- Portland and District Hospital – Report for the year 1997-98
- Portland Coast Region Water Authority – Report for the year 1997-98
- Public Prosecutions – Report of the Director, Committee and Office for the year 1997-98
- Queen Victoria Women’s Centre Trust - Report for the year 1997-98
- Radiation Advisory Committee - Report for the year ended September 1998
- Rochester and Elmore District Health Service – Report for the year 1997-98
- Royal Botanic Gardens Board - Report for the year 1997-98 (two papers)
- 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 in the interests of developing a more efficient and independent farming sector in Victoria
 - Direction by the Treasurer to the Rural Finance Corporation to establish, operate and administer a scheme of assistance known as the Land Aggregation Program
- South Gippsland Region Water Authority – Report for the year 1997-98
- South West Water Authority – Report for the year 1997-98
- Stamps Act 1958 – Report of exemptions and partial exemptions and refunds made pursuant to section 137R for the year 1997-98
- State Development Department – Report for the year 1997-98
- State Training Board - Report for the year 1997-98
- Statutory Rules under the following Acts:
 - Drugs, Poisons and Controlled Substances Act 1981 – S.R. Nos. 129, 132
 - Health Act 1958 – S.R. No. 133
 - Health Services Act 1988 – S.R. No. 131
 - Land Acquisition and Compensation Act 1986 – S.R. No. 130
- Subordinate Legislation Act 1994 - Minister’s exemption certificate in relation to Statutory Rule No. 131
- Sunraysia Rural Water Authority – Report for the year 1997-98
- Tourism Victoria – Report for the year 1997-98
- Transport Accident Commission - Report for the year 1997-98
- Treasury and Finance Department – Report for the year 1997-98

Treasury Corporation of Victoria – Report for the year 1997-98
 Tricontinental Holdings Limited – Report for the year 1997
 Vicfleet Pty Ltd – Financial Statements for the year 1997-98
 Victoria Grants Commission – Report for the year ended 31 August 1998
 Victorian Casino and Gaming Authority – Report for the year 1997-98
 Victorian Coastal and Bay Management Council – Report for the year 1997-98
 Victorian Dairy Industry Authority – Report for the year 1997-98
 Victorian Electoral Commission – Report for the year 1997-98
 Victorian Government Purchasing Board – Report for the year 1997-98 (two papers)
 Victorian Managed Insurance Authority - Report for the year 1997-98
 Victorian Rail Track (VicTrack) – Report for the year 1997-98
 V/Line Freight - Report for the year 1997-98
 Wangaratta District Base Hospital – Report for the year 1997-98
 Westernport Region Water Authority – Report for the year 1997-98
 Western Region Water Authority – Report for the year 1997-98
 Wimmera-Mallee Rural Water Authority – Report for the year 1997-98
 Wodonga District Hospital and Wodonga Regional Health Service – Report for the year 1997-98.

The following proclamation fixing an operative date was laid upon the Table by the Clerk pursuant to an Order of the House dated 17 February 1998:

Health Services (Amendment) Act 1997 – Remaining provisions on 2 November 1998
(Gazette No. G43, 29 October 1998).

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 4 November 1998

Bail (Amendment) Bill
 Crimes (Amendment) Bill
 Health Services (Further Amendment) Bill
 International Transfer of Prisoners (Victoria) Bill
 Land (Further Revocation of Reservations) Bill
 MacKillop Family Services Bill
 National Parks (Amendment) Bill
 Patriotic Funds (Amendment) Bill
 Planning and Environment (Amendment) Bill
 Road Safety (Further Amendment) Bill
 Victorian Institute of Marine Sciences (Repeal) Bill

On 10 November 1998

Building (Plumbing) Bill
 Conservation, Forests and Lands (Miscellaneous Amendments) Bill
 Consumer Credit (Finance Brokers) Bill
 Fundraising Appeals Bill
 Legal Practice (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:
- Chattel Securities (Amendment) Bill
 - Electricity Industry Acts (Amendment) Bill
 - Gaming Acts (Further Amendment) Bill
 - Gas Industry Acts (Amendment) Bill
 - Land Titles Validation (Amendment) Bill
 - Legal Aid (Amendment) Bill
 - Licensing and Tribunal (Amendment) Bill
 - Magistrates' Court (Amendment) Bill
 - Melbourne City Link (Amendment) Bill
 - Racing and Betting Acts (Amendment) Bill
 - Rail Corporations (Further Amendment) Bill
 - State Taxation (Further Amendment) Bill.
- 9 **GAS INDUSTRY ACTS (AMENDMENT) BILL** – Pursuant to section 85 of the *Constitution Act 1975* Mr Stockdale, by leave, made an amended statement of the reasons why that section should be altered or varied by clause 21 of the Gas Industry Acts (Amendment) Bill (as proposed to be amended) (which inserts a new section 101B(2) in the Gas Industry Act 1994) and by a new clause to be inserted in the Bill before clause 29 (which inserts a new section 117A in the Gas Safety Act 1997).
- 10 **CRIMES, CONFISCATION AND EVIDENCE ACTS (AMENDMENT) BILL** – Motion made, by leave, and question - That the Order of the House making the resumption of debate on the second reading of the Crimes, Confiscation and Evidence Acts (Amendment) Bill an Order of the Day for Thursday, 12 November 1998 be read and rescinded and that it be made the first Order of the Day for this day (*Mr Gude*) – put and agreed.
- 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 4.00 p.m., Friday, 13 November 1998:
- Melbourne City Link (Amendment) Bill
 - Local Government (Nillumbik Shire Council) Bill
 - Racing and Betting Acts (Amendment) Bill
 - Gaming Acts (Further Amendment) Bill
 - Licensing and Tribunal (Amendment) Bill
 - Legal Aid (Amendment) Bill
 - Chattel Securities (Amendment) Bill
 - Electricity Industry Acts (Amendment) Bill
 - Gas Industry Acts (Amendment) Bill
 - Rail Corporations (Further Amendment) Bill
 - State Taxation (Further Amendment) Bill
 - Land Titles Validation (Amendment) Bill
 - Crimes, Confiscation and Evidence Acts (Amendment) Bill
- (*Mr Gude*) – put, after debate, and agreed to.
- 12 **RAIL CORPORATIONS (FURTHER AMENDMENT) BILL** – Pursuant to section 85 of the *Constitution Act 1975* Mr Cooper made an amended statement of the reasons why that section should be altered or varied by clause 15 of the Rail Corporations (Further Amendment) Bill (which inserts a new section 105 in the Rail Corporations Act 1996) in lieu of the statement in the second reading speech made on Tuesday, 27 October 1998 in relation

to a wrongly cited clause 205 of the Bill (which referred to a section 59T in the Rail Corporations Act 1996).

- 13 **CRIMES, CONFISCATION AND EVIDENCE 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.

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

- 15 **LOCAL GOVERNMENT (NILLUMBIK SHIRE 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.*

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 - put.

The House divided.

AYES, 54

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

NOES, 3

Tellers

Ms Davies

Mr McLellan

(*Frankston East*)

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.

- 16 **RACING AND BETTING 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.

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

Accident Compensation (Amendment) Bill
Superannuation Acts (Amendment) Bill
Livestock Disease Control (Amendment) Bill.

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

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

And the House having continued to sit after 12 midnight -

WEDNESDAY, 11 NOVEMBER 1998

Question - put and agreed to.

And the House, at 12.48 a.m., adjourned until later this day.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 40 – Wednesday, 11 November 1998

- 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:
- Balnarring - Mains Gas Supply** - Seeking that mains gas be supplied to Balnarring, bearing 364 signatures (*by Mr Dixon*)
- Late Term Partial Birth Abortions** - Seeking that Section 10 of the Crimes Act be amended to disallow the practice of late term partial birth abortions in Victoria, bearing 12 signatures (*by Mr Savage*)

Koori Community - Cultural Officer - Seeking that a review by a Parliamentary Committee be conducted into the removal of the position of Cultural Officer in the Koori Community by the Department of Aboriginal Affairs and that the position stands until the review is completed, bearing 121 signatures (*by Mr Hamilton*)

Victorian Cemeteries and Crematoria - Seeking that all existing and future Victorian cemeteries and crematoria will be publicly owned and remain under the control of the Victorian Government, bearing 27 signatures (*by Mrs Campbell*).

Severally ordered to lie on the Table.

- 3 **PETITION – VICTORIAN CEMETERIES AND CREMATORIA** - Motion made and question - That the petition presented by the Member for Pascoe Vale relating to public ownership of Victorian cemeteries and crematoria be taken into consideration tomorrow (*Mrs Campbell*) - put and agreed to.

4 **PAPERS -**

GOVERNMENT RESPONSE TO BRINGING THEM HOME – IMPLEMENTATION STATUS REPORT - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Victorian Government Response to *Bringing Them Home – Implementation Status Report*, November 1998 (*Mrs Henderson*) - put and agreed to.

The said report was presented by Mrs Henderson and ordered to lie on the Table.

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 Parliamentary Library, Department of the Reporting Staff of the Victorian Parliamentary Debates and the Department of Parliamentary Services for the year 1997-98 (*Mr McGrath, Warrnambool*) - put and agreed to.

The said reports were presented by Mr McGrath (*Warrnambool*) and ordered to lie on the Table.

LAW REFORM COMMITTEE - Mr Perton, Chairman, brought up a Report from the Law Reform Committee on its Review of the *Fences Act 1968*, 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 –

Mr Speaker presented:

Auditor-General – Special Report No. 59 on Automating Fare Collection: A major initiative in public transport.

Ordered to lie on the Table and to be printed.

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

Human Services Department – Report for the year 1997-98 (*in lieu of Report previously tabled on Tuesday, 10 November 1998*)

Legal Practice Act 1996 – Practitioner Remuneration Order pursuant to section 113

Police Board – Report for the year 1997-98

Police Regulation Act 1958 – Second Interim Report of the Ombudsman on Allegations Raised Concerning the Activities of the Operations Intelligence Unit and Other Related Issues, November 1998 – Ordered to be printed.

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

Education (Amendment) Bill
 Transfer of Land (Single Register) Bill.

6 **ADJOURNMENT MOTION – VICTORIAN GOVERNMENT'S FINANCES** - Mr Bracks proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

"The Auditor-General's report on the Victorian Government's Finances 1997-98 which raises serious issues relating to the impact of contracted services and outsourcing on agency financial operations and serious instances of waste and mismanagement through public sector expenditure blow-outs".

Mr Speaker having ascertained that twelve members approved of the proposed discussion - Motion made and question - That the House do now adjourn (*Mr Bracks*) – 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 **ADJOURNMENT MOTION – VICTORIAN GOVERNMENT'S FINANCES** – Debate continued on question – That the House do now adjourn.

The House divided.

AYES, 30

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

Mr Cunningham
 Ms Davies
 Mr Dollis
 Ms Garbutt
 Ms Gillett
 Mr Haermeyer
 Mr Hamilton
 Mr Hulls

Ms Kosky
 Mr Leighton
 Mr Lim
 Mr Loney
 Mrs Maddigan
 Mr Micallef
 Mr Mildenhall
 Mr Savage

Mr Seitz
 Mr Thwaites
 Mrs Wilson

Tellers
 Ms Delahunty
 Mr Langdon
 Mr Robinson

NOES, 52

Mr Andrighetto	Mr Kennett	Mr Paterson	Mrs Tehan
Mr Ashley	Mr Lean	Mr Perton	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 Cooper	Ms McCall	(Benambra)	Mr Wells
Dr Dean	Ms 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	Tellers
Mrs Henderson	Mr Maclellan	(Polwarth)	Mr Dixon
Mr Jasper	(Pakenham)	Mr Spry	Mr Kilgour
Mr Jenkins	Mr Maughan	Mr Steggall	Mr Smith
Mr John	Dr Napthine	Mr Stockdale	(Glen Waverley)

And so it passed in the negative.

- 9 **CRIME STATISTICS** - Motion made and question proposed - That the Minister for Police and Emergency Services and the Chief Commissioner of Police be commended for continuing to maintain Victoria as the safest state or territory in Australia, following the 1997 National Crime Statistics which show that Victoria's crime rate is 19% below the national average (Mr Smith, Glen Waverley).
- Business having been interrupted at 4.40 p.m.
pursuant to an Order of the House on Tuesday, 27 October 1998.*
- 10 **STATUTE LAW REVISION (REPEALS) BILL** – Mr Kennett, pursuant to a motion moved on his behalf by Mr McGrath (Wimmera), obtained leave, with Mrs Tehan to bring in Bill "to revise the Statute Law of Victoria 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 REFORM (FURTHER AMENDMENTS) BILL** - Mr Kennett, pursuant to a motion moved on his behalf by Mr McGrath (Wimmera), obtained leave, with Mrs Tehan, to bring in Bill "to amend the *Public Sector Reform (Miscellaneous Amendments) Act 1998*, to make miscellaneous 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.
- 12 **ENVIRONMENT PROTECTION (AMENDMENT) BILL** – Mrs Tehan obtained leave, with Mr McGrath (Wimmera), to bring in Bill "to amend the *Environment Protection Act 1970* to make further provision for industry waste reduction agreements, State environment protection policy and the transport of waste and to impose further landfill levies and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **BARLEY MARKETING (AMENDMENT) BILL** – Mr McNamara, pursuant to a motion moved on his behalf by Mrs Tehan, obtained leave, with Mr McGrath (Wimmera), to bring in Bill "to make further provision relating to the marketing of barley, to dissolve the Australian Barley Board, to amend the *Barley Marketing 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.

- 14 **LICENSING AND TRIBUNAL (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 **LEGAL AID (AMENDMENT) 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 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 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 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Victorian College of the Arts (Amendment) Bill without amendment.

- 17 **GAS INDUSTRY ACTS (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 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 Gude*) - put and agreed to.

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 refuses to read this Bill a second time until - (a) the Government initiates a three month public consultation process to review the immunity provisions that seek to protect VENCORP from liability, as proposed by the Australian Competition and Consumer Commission (ACCC) in its conditional authorisation of the market and system operations rules (MSO rules) on 19 August 1998; (b) the Government complies with its own policy on exemptions from Part IV of the Trade Practices Act by demonstrating to the Parliament that the exemption given to VENCORP and MSO rules, including immunity provisions, provide benefits to the community that outweigh the costs to the community; and (c) the Government tables all correspondence and notes of discussions with the Federal Treasurer, the ACCC and the National Competition Council, as to whether Federal Parliament would consider overruling the attempts made in the Bill to exempt VENCORP and the MSO rules from the application of Part IV of the Trade Practices Act" (*Mr Loney*) - and, after debate -

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

Ordered - That the debate be adjourned until tomorrow.

- 18 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Stockdale*) - put and agreed to.
- 19 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 11.55 p.m., adjourned until tomorrow.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 41 – Thursday, 12 November 1998

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Minyip Sewerage Scheme** - Seeking that the proposed Minyip Sewerage Scheme, as outlined by Grampians Water, not be allowed in the Wimmera Township of Minyip, bearing 124 signatures (*by Ms Garbutt*)
 - Mutual Recognition Act 1992 (Commonwealth)** - Seeking that the Victorian Government agree to inclusion of sub-sections 24A(1) and 24B of the ACT Food Amendment Act 1997 in the Schedules to the Mutual Recognition Act 1992 (Commonwealth), bearing 2,951 signatures (*by Mr Richardson*)
 - Home Loan Schemes** - Seeking that the House direct that State Government Home Loan Schemes under the sub headings of CAPIL, DIS, IRL, HOLDS and SHOS - (a) be recalculated in a way so as to allow home ownership to be realised within a twenty-five year period from date of approval; (b) payment be set at only twenty-five percent of income for the duration of this term as was the original intention of the loans; (c) be offered in a way as to be easily understood by prospective borrowers; and (d) interest charged at an affordable rate geared to income, bearing 198 signatures (*by Mr Loney*)
 - National Park – Strzelecki State Forest** - Seeking that the Government implement the establishment of a 30,000 hectare National Park in the Strzelecki State Forest, as outlined in the proposal produced by Devenish, Constable and Standerling, bearing 66 signatures (*by Ms Davies*)
 - West Gippsland Catchment Management Authority** - Seeking that the Minister for Agriculture and Resources withdraws the imposed levy of \$25 demanded by the West Gippsland Catchment Management Authority and makes funding for the Authority available by other means, bearing 324 signatures (*by Ms Davies*)
 - Pre-School Education** - Seeking that the Government accepts responsibility for providing more support to kindergartens/pre-schools in order to lessen the enormous strain currently on volunteer committees to fundraise for basic necessities, which are required to provide a proper pre-school education for all Victorian children, bearing 20 and 119 signatures (*by Ms Davies and Mrs Campbell, respectively*).

Severally ordered to lie on the Table.

- 3 **PETITION - WEST GIPPSLAND CATCHMENT MANAGEMENT AUTHORITY** - Motion made and question - That the petition presented by the Member for Gippsland West relating to West Gippsland Catchment Management Authority be taken into consideration tomorrow (*Ms Davies*) - put and agreed to.
- 4 **PETITION - MINYIP SEWERAGE SCHEME** - Motion made and question - That the petition presented by the Member for Bundoora relating to Minyip Sewerage Scheme be taken into consideration tomorrow (*Ms Garbutt*) - put and agreed to.
- 5 **PETITION - PRE-SCHOOL EDUCATION** - Motion made and question - That the petition presented by the Member for Gippsland West relating to the provision of a proper pre-school education for all Victorians be taken into consideration tomorrow (*Ms Davies*) - put and agreed to.
- 6 **PETITION - PRE-SCHOOL EDUCATION** - Motion made and question - That the petition presented by the Member for Pascoe Vale relating to the provision of a proper pre-school education for all Victorians be taken into consideration tomorrow (*Mrs Campbell*) - put and agreed to.
- 7 **PETITION - NATIONAL PARK - STRZELECKI STATE FOREST** - Motion made and question - That the petition presented by the Member for Gippsland West relating to the establishment of a National Park in the Strzelecki State Forest be taken into consideration tomorrow (*Ms Davies*) - put and agreed to.

8 **PAPERS -**

RESPONSE BY MINISTER FOR FINANCE TO THE AUDITOR-GENERAL'S REPORTS - Motion made, by leave, and question - That there be presented to this House a copy of the Minister for Finance's Response to the Auditor-General's Report on Ministerial Portfolios of May 1998, the Auditor-General's Report on the Government's Annual Financial Statement of October 1997 and Special Reports tabled during 1997-98 (*Mr Gude*) - put and agreed to.

The said report was presented by Mr Gude 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 1997-98 (*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 Bracks, brought up a Report from the Public Accounts and Estimates Committee on Information Technology and the Year 2000 Problem - Is the Victorian Public Sector Ready?, 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:

Central Wellington Health Service - Report for the year 1997-98

Djerriwarrh Health Services - Report for the year 1997-98

East Wimmera Health Service - Report for the year 1997-98

Financial Management Act 1994 - Reports from the Minister for Health that he had received the 1997-98 Annual Reports of the -

Alpine Health
Physiotherapists Registration Board
Victorian Institute of Forensic Mental Health

Gippsland Southern Health Service - Report for the year 1997-98

Hepburn Health Service - Report for the year 1997-98

Heywood and District Memorial Hospital - Report for the year 1997-98

Melbourne and Olympic Parks Trust - Report for the year 1997-98

Members of Parliament (Register of Interests) Act 1978 - Summary of Variations Notified between 2 October 1998 and 11 November 1998 - Ordered to be printed

Mildura Cemetery Trust - Financial Statements for the year 1997

Victorian Health Promotion Foundation - Report for the year 1997-98

Wimmera Health Care Group - Report for the year 1997-98.

9 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Friday, 13 November 1998 at 10.00 a.m. (*Mr Gude*) - put and agreed to.

10 **LAND TITLES VALIDATION (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 Ashley
Ms Burke
Mr Clark
Mr Coleman
Mr Cooper
Dr Dean
Mr Doyle
Mr Elder
Mrs Elliott
Mr Finn
Mrs Henderson
Mr Honeywood
Mr Jasper
Mr Jenkins
Mr John

Mr Lean
Mr Leigh
Mr Lupton
Mr McArthur
Ms McCall
Mrs McGill
Mr McGrath
(*Warrnambool*)
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 Plowman
(*Benambra*)
Mr Reynolds
Mr Richardson
Mr Rowe
Mr Ryan
Mr Savage
Mrs Shardey
Mr Smith
(*Polwarth*)

Mr Spry
Mr Steggall
Mrs Tehan
Mr Thompson
Mr Traynor
Mr Treasure
Mrs Wade
Mr Wells

Tellers
Mr Dixon
Mr Kilgour
Mr Smith
(*Glen Waverley*)

NOES, 30

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

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).

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

Appeal Costs Bill
Crimes, Confiscation and Evidence Acts (Amendment) Bill.

13 **RAIL CORPORATIONS (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, 49

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

NOES, 31

Mr Andrianopoulos	Ms Davies	Mr Lim	Mr Thwaites
Mr Baker	Mr Dollis	Mr Loney	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr McLellan	
Mr Bracks	Ms Gillett	(Frankston East)	
Mr Brumby	Mr Haermeyer	Mrs Maddigan	
Mr Cameron	Mr Hamilton	Mr Micallef	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Mildenhall	Ms Delahunty
Mr Carli	Ms Kosky	Mr Pandazopoulos	Mr Langdon
Mr Cunningham	Mr Leighton	Mr Savage	Mr Robinson

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 **STATE TAXATION (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 **ELECTRICITY INDUSTRY 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.

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

Liquor Control Reform Bill
Melbourne Cricket Ground (Amendment) Bill.

- 17 **GAS INDUSTRY 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 refuses to read this Bill a second time until - (a) the Government initiates a three month public consultation process to review the immunity provisions that seek to protect VENCORP from liability, as proposed by the Australian Competition and Consumer Commission (ACCC) in its conditional authorisation of the market and system operations rules (MSO rules) on 19 August 1998; (b) the Government complies with its own policy on exemptions from Part IV of the Trade Practices Act by demonstrating to the Parliament that the exemption given to VENCORP and MSO rules, including immunity provisions, provide benefits to the community that outweigh the costs to the community; and (c) the Government tables all correspondence and notes of discussions with the Federal Treasurer, the ACCC and the National Competition Council, as to whether Federal Parliament would consider overruling

the attempts made in the Bill to exempt VENCORP and the MSO rules from the application of Part IV of the Trade Practices Act"; 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 on the amendment.*

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

The House divided.

AYES, 49

Mr Andrighetto	Mr Lean	Mr Perrin	Mrs Tehan
Mr Ashley	Mr Leigh	Mr Perton	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	(<i>Benambra</i>)	Mr Wells
Dr Dean	Mr McGrath	Mr Reynolds	
Mr Doyle	(<i>Warrnambool</i>)	Mr Richardson	
Mr Elder	Mr McGrath	Mr Rowe	
Mrs Elliott	(<i>Wimmera</i>)	Mr Ryan	
Mr Finn	Mr Maclellan	Mrs Shardey	<i>Tellers</i>
Mr Gude	(<i>Pakenham</i>)	Mr Smith	Mr Dixon
Mrs Henderson	Mr Maughan	(<i>Polwarth</i>)	Mr Kilgour
Mr Jenkins	Dr Napthine	Mr Spry	Mr Smith
Mr John	Mr Paterson	Mr Steggall	(<i>Glen Waverley</i>)

NOES, 32

Mr Andrianopoulos	Ms Davies	Mr Lim	Mr Seitz
Mr Baker	Mr Dollis	Mr Loney	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr McLellan	Mrs Wilson
Mr Bracks	Ms Gillett	(<i>Frankston East</i>)	
Mr Brumby	Mr Haermeyer	Mrs Maddigan	
Mr Cameron	Mr Hamilton	Mr Micallef	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Mildenhall	Ms Delahunty
Mr Carli	Ms Kosky	Mr Pandazopoulos	Mr Langdon
Mr Cunningham	Mr Leighton	Mr Savage	Mr Robinson

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.

- 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 11.19 p.m., adjourned until tomorrow.

P. J. MITHEN
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 42 – Friday, 13 November 1998

- 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:
 - Public Hospital Pathology Services** - Seeking that the House vote in support of an immediate – (a) increase in funding for Public Hospital Pathology Services; (b) government enquiry into the rapid decline in public health care standards; and (c) joint review and assessment of the competitive tendering process and contracting out of these Services, bearing 743 signatures (*by Mr Thwaites*)
 - Public Transport - Craigieburn** - Seeking that the Government commission the Public Transport Corporation to increase the public transport services in the Craigieburn area and specifically that a bus service between Craigieburn and Broadmeadows be conducted on Sundays, bearing 1,022 signatures (*by Mr Haermeyer*)
 - Hurstbridge - Road Works** - Seeking that the Government – (a) provide funds from the Better Road Levy for works on the intersection and various sections of Arthurs Creek Road and Haleys Gully Road, Hurstbridge; (b) implement immediate road safety measures which will reduce the risk to road users and pedestrians alike; and (c) work with the Shire of Nillumbik to put in place emergency measures such as interim footpaths, signage and other traffic management mechanisms to minimise the immediate risk pending more permanent works, bearing 839 signatures (*by Mr Haermeyer*).

Severally ordered to lie on the Table.
- 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:
 - Austin and Repatriation Medical Centre – Report for the year 1997-98 (two papers)
 - Bethlehem Hospital Inc. – Report for the year 1997-98 (two papers)
 - Caritas Christi Hospice Ltd – Report for the year 1997-98 (two papers)
 - Financial Management Act 1994 – Report from the Minister for Conservation and Land Management that she had received the 1997-98 Annual Reports of the –
 - Corangamite Catchment Management Authority
 - East Gippsland Catchment Management Authority
 - Glenelg Hopkins Catchment Management Authority
 - Mallee Catchment Management Authority

North Central Catchment Management Authority
 North East Catchment Management Authority
 Wimmera Catchment Authority

Goulburn Broken Catchment Management Authority – Report for the year 1997-98

Interpretation of Legislation Act 1984 – Notice under section 32(3)(a)(iii) in relation to Statutory Rule No. 119

North Western Health Care Network – Report for the year 1997-98 (two papers)

St Vincent's Hospital Melbourne – Report for the year 1997-98 (two papers)

Statutory Rules under the following Acts:

Pharmacists Act 1974 – S.R. No. 135

Subordinate Legislation Act 1994 – S.R. No. 134

Subordinate Legislation Act 1994 – Ministers' exception certificates in relation to Statutory Rule Nos. 134, 135

West Gippsland Catchment Management Authority – Report for the year 1997-98.

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

Local Government (Governance and Melton) Bill
 Transport (Amendment) Bill.

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 Gude*) - put and agreed to.

6 STATUTE LAW REVISION (REPEALS) 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 Hamilton*) - put and agreed to.

Ordered - That the debate be adjourned until Friday, 27 November 1998.

7 PUBLIC SECTOR REFORM (FURTHER AMENDMENTS) 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 Hamilton*) - put and agreed to.

Ordered - That the debate be adjourned until Friday, 27 November 1998.

8 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 Friday, 27 November 1998.

9 BARLEY MARKETING (AMENDMENT) 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 Hamilton*) - put and agreed to.

Ordered - That the debate be adjourned until Friday, 27 November 1998.

- 10 **GAMING 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 Andrighetto	Mr John	Mrs Peulich	Mr Thompson
Mr Ashley	Mr Lean	Mr Phillips	Mr Traynor
Ms Burke	Mr Leigh	Mr Plowman	Mr Treasure
Mr Clark	Mr Lupton	(Benambra)	Ms Wade
Mr Coleman	Ms McCall	Mr Reynolds	Mr Wells
Mr Cooper	Mrs McGill	Mr Richardson	
Dr Dean	Mr McNamara	Mr Rowe	
Mr Doyle	Mr Maclellan	Mr Ryan	
Mr Elder	(Pakenham)	Mrs Shardey	
Mrs Elliott	Mr Maughan	Mr Smith	Tellers
Mr Finn	Dr Napthine	(Polwarth)	Mr Dixon
Mr Gude	Mr Paterson	Mr Spry	Mr Kilgour
Mrs Henderson	Mr Perrin	Mr Steggall	Mr Smith
Mr Jenkins	Mr Perton	Mrs Tehan	(Glen Waverley)

NOES, 29

Mr Andrianopoulos	Ms Davies	Mr Lim	Mr Savage
Mr Batchelor	Mr Dollis	Mr Loney	Mr Seitz
Mr Bracks	Ms Garbutt	Mr McLellan	Mrs Wilson
Mr Brumby	Mr Haermeyer	(Frankston East)	
Mr Cameron	Mr Hamilton	Mrs Maddigan	Tellers
Mrs Campbell	Mr Hulls	Mr Micallef	Ms Delahunty
Mr Carli	Ms Kosky	Mr Mildenhall	Mr Langdon
Mr Cunningham	Mr Leighton	Mr Pandazopoulos	Mr Robinson

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 **MELBOURNE CITY LINK (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.

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

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

- 13 **MELBOURNE CITY LINK (AMENDMENT) BILL** - Debate continued on question - That this Bill be now read a second time.

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of the House on Tuesday, 10 November 1998 had expired.

Question – put.

The House divided.

AYES, 50

Mr Andrighetto	Mr Leigh	Mr Paterson	Mr Thompson
Mr Ashley	Mr Lupton	Mr Perrin	Mr Traynor
Ms Burke	Mr McArthur	Mrs Peulich	Mr Treasure
Mr Clark	Ms McCall	Mr Phillips	Mrs Wade
Mr Coleman	Mrs McGill	Mr Plowman	Mr Wells
Mr Cooper	Mr McGrath	(Benambra)	
Dr Dean	(Warrnambool)	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	Tellers
Mr Jenkins	Mr Maclellan	(Polwarth)	Mr Dixon
Mr John	(Pakenham)	Mr Spry	Mr Kilgour
Mr Kennett	Mr Maughan	Mr Steggall	Mr Smith
Mr Lean	Dr Napthine	Mrs Tehan	(Glen Waverley)

NOES, 30

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

And so it was resolved in the affirmative.

Question - That Government amendments Nos. 1 to 4 inclusive be agreed to, the Bill be read a third time and the Bill be transmitted to the Legislative Council and their concurrence desired therein – put and agreed to.

- 14 **CHATTEL SECURITIES (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 the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 15 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILL** - Informing the Assembly that he had, that day, given the Royal Assent to the Crimes, Confiscation and Evidence Acts (Amendment) Bill, presented to him by the Clerk of the Parliaments.

- 16 **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 Parole Board – Report for the year 1997-98

Equal Opportunity Commission – Report for the year 1997-98 – Ordered to be printed

Freedom of Information Act 1982 – Report of the Attorney-General on the operation of the Act for the year 1997-98

Housing Guarantee Fund – Report for the year 1997-98

Legal Practice Board – Report for the year 1997-98

Public Advocate - Report for the year 1997-98 – Ordered to printed

Victims of Crime Assistance Tribunal – Report for the year 1997-98

Victoria Legal Aid – Report for the year 1997-98

Victorian Institute of Forensic Medicine – Report for the year 1997-98.

17 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Kennett*) – and after debate, put and agreed to.

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

And the House, at 5.52 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.

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, 23 March 1999

- 1 The House met pursuant to the terms of the resolution of 13 November 1998, 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 **APPOINTMENT OF OFFICERS OF PARLIAMENT** - Mr Speaker informed the House that pursuant to the provisions of the Parliamentary Officers Act 1975, he nominated Mr Raymond William Purdey, the Deputy Clerk, to be Clerk of the House, in the place of Mr Philip John Mithen, J.P., retired. The Governor in Council was pleased to make the appointment in accordance with the said nomination. As a consequence, he appointed Mr Marcus Leonard Bromley, the Assistant Clerk and Clerk of Committees, to be Deputy Clerk.
- 3 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 4 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Catchment Management Authorities** - Seeking that the Government reverses its decision to allow the Catchment Management Authorities to levy taxes from the people of Victoria, bearing 5,278 signatures (*by Mr Cameron*)
 - Gippsland Lakes** - Seeking that the House takes immediate steps to - (a) control and manage the effects of the current Gippsland Lakes' blue-green algae disaster in order to lessen the impact on residents and tourists; (b) implement scientific investigations into all possible causes of the explosive growth of the algae; and (c) based on the findings enact appropriate legislation, together with finance and manpower, to ensure ongoing protection for the Gippsland Lakes environment, bearing 8 signatures (*by Mr Perton*)
 - City of Yarra** - Seeking that the Government investigates the management of the City of Yarra, including its financial practices, bearing 4,641 signatures (*by Mr Phillips*)
 - Pre-school Education** - Seeking that the Government accepts responsibility for providing more support to pre-schools so as to lessen the enormous strain currently on volunteer committees to fund raise for basic necessities, which are required to provide a proper pre-school education for all Victorian children, bearing 89 signatures (*by Mrs Campbell*)Severally ordered to lie on the Table.
- 5 **PETITION - CATCHMENT MANAGEMENT AUTHORITIES** - Motion made and question - That the petition presented by the Member for Bendigo West relating to Catchment Management Authorities be taken into consideration tomorrow (*Mr Cameron*) - put and agreed to.

6 **PETITION - PRE-SCHOOL EDUCATION** - Motion made and question - That the petition presented by the Member for Pascoe Vale relating to the provision of a proper pre-school education for all Victorian children be taken into consideration tomorrow (*Mrs Campbell*) - put and agreed to.

7 **PAPERS -**

NATIONAL CRIME AUTHORITY - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the National Crime Authority for the year 1997-98 (*Mr McGrath, Wimmera*) - put and agreed to.

The said report was presented by Mr McGrath (*Wimmera*) 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 1998-99 Budget Estimates together with Appendices and the Minutes of Evidence.

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

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. 1 of 1999 on the -

- Barley Marketing (Amendment) Bill
- Environment Protection (Amendment) Bill
- Gas Industry Acts (Amendment) Bill
- Health Services (Further Amendment) Bill
- Magistrates' Court (Amendment) Bill
- Petroleum Bill
- Public Correctional Services Authority Bill
- Public Sector Reform (Further Amendments) Bill
- State Taxation (Further Amendment) Bill
- Statute Law Revision (Repeals) Bill

Ordered to lie on the Table and to be printed.

Final Report upon the Inquiry into the Right to Silence, 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 -

Mr Speaker presented -

BLF (De-recognition) Act 1985 – Forty-first and Forty-second Reports of the Custodian.

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

Mrs Wade presented by Command of His Excellency the Governor:

Council of Magistrates – Report for the year 1997-98.

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 1997-98

Alpine Resorts Commission – Report for the period 1 November 1997 to 29 April 1998

Ballarat Health Services – Report for the year 1997-98 (two papers)

The Constitution Act Amendment Act 1958 – Statements of functions conferred on the Electoral Commissioner, dated 15 December 1998 and 16 February 1999

Crown Land (Reserves) Act 1978 – Section 17DA Orders granting under Section 17D leases by –

- Parks Victoria (two Orders)
- Bayside City Council (three Orders)
- Bass Coast Shire Council
- Moonee Valley City Council

Eastern Regional Waste Management Group – Financial Statements for the year 1996-97

Environment Conservation Council Act 1997 – Amended Terms of Reference for the Environment Conservation Council's investigation of Victoria's Marine, Coastal and Estuarine areas

Environment Protection Act 1970 –

- Order declaring Industrial Waste Management Policy (Waste Acid Sulfate Soils) (*Government Gazette No. S151, 15 December 1998*)
- Order declaring State Environment Protection Policy (Ambient Air Quality) (*Government Gazette No. S19, 9 February 1999*)
- Order declaring Variation of State Environment Protection Policy (The Air Environment) (*Government Gazette No. S19, 9 February 1999*)

Financial Management Act 1994 –

Reports from the Minister for Agriculture and Resources that he had received the 1997-98 Annual Reports of the –

- Emu Industry Development Committee
- Murray Valley Wine Grape Industry Development Committee
- Northern Victorian Fresh Tomato Industry Development Committee
- Victorian Dried Fruits Board
- Water Training Centre

Reports from the Minister for Conservation and Land Management that she had received the 1997-98 Annual Reports of the –

- Northern Regional Waste Management Group
- South Eastern Regional Waste Management Group
- Yarra Bend Park Trust

Reports from the Minister for Health that he had received the 1997-98 Annual Reports of the –

- Ambulance Officers' Training Centre
- Alexandra and District Ambulance Service
- Coleraine and District Hospital
- Edenhope and District Memorial Hospital
- Healthit Limited
- Hess Rural Health Service
- Kooweerup Regional Health Service
- Optometrists Registration Board
- The Queen Elizabeth Centre

Report from the Minister for Youth and Community Services that he had received the 1997-98 Annual Report of the O'Connell Family Centre (Grey Sisters) Inc.

Interpretation of Legislation Act 1984 –

Notices under section 32(3)(a)(iii) in relation to Statutory Rule Nos. 148/1998, 160/1998

Notice under section 32(4)(a)(iii) in relation to Amendment No. 3 of the Building Code of Australia 1996

Judicial Remuneration Tribunal – Report on Tribunals' Salaries and Allowances, 22 December 1998 and statement of reasons from the Attorney-General for accepting certain recommendations contained in the Report

Melbourne City Link Act 1995 – Orders pursuant to section 8(4) increasing the Project Area (twelve orders)

Mental Health Act 1986 – Report of the Community Visitors for the year 1997-98

Mercy Public Hospitals Incorporated – Report for the year 1997-98, together with an explanation for the delay in tabling (three papers)

Murray-Darling Basin Commission – Report for the year 1997-98

Murray Valley Citrus Marketing Board – Report for the year 1997-98

Parliamentary Committees Act 1968 – Response of the Minister for Industry, Science and Technology on action taken with respect to recommendations made by the Economic Development Committee's Inquiry into the Economic Impact of Business Migration in Victoria

Planning and Environment Act 1987 –

Notices of approval of the following new Planning Schemes:

Ballarat Planning Scheme
 Baw Baw Planning Scheme
 Glenelg Planning Scheme
 Indigo Planning Scheme
 Melbourne Planning Scheme
 Pyrenees Planning Scheme
 Queenscliffe Planning Scheme
 Wangaratta Planning Scheme
 Wyndham Planning Scheme

Notices of approval of amendments to the following Planning Schemes:

All Planning Schemes – Nos. S78, S79, S80, S81, SR5
 Alpine Resorts Planning Scheme - No. C2
 Ballarat Planning Scheme - Nos. C1, C5
 Banyule Planning Scheme - Nos. L19, L21, L22
 Baw Baw Planning Scheme – Nos. C3, C4
 Bayside Planning Scheme - Nos. L18, L19, L21
 Berwick Planning Scheme - Nos. L139 Part A, L142, L145
 Boroondara Planning Scheme - Nos. L39, L57
 Bright Planning Scheme - No. L47
 Brimbank Planning Scheme - Nos. L41, L44, L56, L60, L61
 Buninyong Planning Scheme - No. L62
 Cranbourne Planning Scheme - Nos. L183, L187, L190, L210, L218, L219, L220, L222 Part A, L225, L227, L230, L231
 Darebin Planning Scheme - Nos. L59, L61, L63, L64
 Doncaster Planning Scheme - No. L133
 Doncaster and Templestowe Planning Scheme - No. L137
 Euroa Planning Scheme - No. L28

Flinders Planning Scheme - Nos. L166, L191
 Frankston Planning Scheme - Nos. L106, L113
 Glen Eira Planning Scheme - Nos. L29, L30, L32, L34
 Goulburn Planning Scheme - Nos. L12, L13
 Greater Bendigo Planning Scheme - Nos. L49, L80, L83
 Greater Geelong Planning Scheme - Nos. L233, R168, R214, R226, R229, R231, RL190
 Hastings Planning Scheme – No. L150
 Hepburn Planning Scheme - No. L6
 Hobsons Bay Planning Scheme - No. L12
 Hume Planning Scheme - Nos. L47, L53, L56, L58
 Karkaroc Planning Scheme – No. L4
 Kingston Planning Scheme - Nos. L33, L41, L45
 Knox Planning Scheme - Nos. L166, L167, L172, L175, L176, L180
 Macedon Ranges Planning Scheme - No. L28
 Maffra Planning Scheme – No. L34
 Maribyrnong Planning Scheme - No. L29 Part 1
 Maroondah Planning Scheme - Nos. L26, L28
 Melbourne Planning Scheme - Nos. L237, L294, L296, L305, L306, L307, L308, L320,
 L323, L324, L325
 Melton Planning Scheme - No. L105
 Mildura (City) Planning Scheme - No. L65
 Moe Planning Scheme - Nos. L45, L46, L47
 Monash Planning Scheme - Nos. L37, L38, L49, L56
 Moreland Planning Scheme - Nos. L55, L58, L62
 Narracan Planning Scheme - No. L60
 Nillumbik Planning Scheme - Nos. L16, L17
 Pakenham Planning Scheme - Nos. L134, L142, L158, L159, L160, L161, L163, L164,
 L168, L169
 Port Phillip Planning Scheme - Nos. C3, C7, C15
 Rosedale Planning Scheme - Nos. L49, L51
 Sale Planning Scheme - No. L31
 Shepparton Shire Planning Scheme - No. L83
 Sherbrooke Planning Scheme - No. L133
 Stonnington Planning Scheme - Nos. L37, L51, L54, L70, L71, L75
 Traralgon (City) Planning Scheme – No. L77
 Victoria Planning Provisions - No. VC6
 Warrnambool Planning Scheme - No. L31
 Werribee Planning Scheme - No. L117 Part 2
 Whitehorse Planning Scheme - Nos. L21 Part 2, L29, L37, L39, L40, L41, L42, L44
 Whittlesea Planning Scheme - Nos. L165, L166, L173
 Wodonga Rural City Planning Scheme – No. L22
 Yarra Planning Scheme - Nos. L65, L84, L85, L86, L87, L90
 Yarra Ranges Planning Scheme - Nos. L76, L96, L97, L103, L104

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 (two papers)

Renewable Energy Authority Victoria – Report for the year 1997-98

Robinvale District Hospital and Health Services – Report for the year 1997-98 (two papers)

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 floods in North-east Victoria in September 1998

Seymour District Memorial Hospital – Report for the year 1997-98

South Eastern Regional Waste Management Group – Financial Statements for the year 1997-98

Statutory Rules under the following Acts:

Accident Compensation Act 1985 – S.R. No. 8/1999
 Administration and Probate Act 1958 – S.R. No. 143
 Audit Act 1994 – S.R. No. 11/1999
 Building Act 1993 – S.R. Nos. 148, 16/1999
 Club Keno Act 1993 – S.R. No. 15/1999
 Country Fire Authority Act 1958 – S.R. No. 161
 County Court Act 1958 – S.R. Nos. 144, 145, 157, 158, 20/1999
 Dangerous Goods Act 1985 – S.R. Nos. 153, 154
 Dentists Act 1972 – S.R. No. 139
 Drugs, Poisons and Controlled Substances Act 1981 – S.R. No. 159
 Education Act 1958 – S.R. No. 7/1999
 Fisheries Act 1995 – S.R. Nos. 1/1999, 9/1999
 Forests Act 1958 – S.R. No. 146
 Gas Industry Act 1994 – S.R. No. 19/1999
 Gas Safety Act 1997 – S.R. Nos. 4, 5, 6/1999
 Health Act 1958 – S.R. No. 21/1999
 Land Tax Act 1958 – S.R. No. 156
 Legal Practice Act 1996 – S.R. No. 14/1999
 Liquor Control Reform Act 1998 – S.R. Nos. 13/1999, 18/1999
 Local Government Act 1989 – S.R. No. 2/1999
 Magistrates' Court Act 1989 – S.R. Nos. 137, 162, 163, 10/1999
 Marine Act 1988 – S.R. No. 170
 Meat Industry Act 1993 – S.R. No. 136
 Melbourne City Link Act 1995 – S.R. No. 22/1999
 Occupational Health and Safety Act 1985 – S.R. No. 138
 Pay-roll Tax Act 1971 – S.R. Nos. 149, 3/1999
 Physiotherapists Act 1978 – S.R. No. 167
 Planning and Environment Act 1987 – S.R. No. 168
 Podiatrists Registration Act 1997 – S.R. No. 155
 Property Law Act 1958 – S.R. No. 166
 Psychologists Registration Act 1987 – S.R. No. 147
 Road Safety Act 1986 – S.R. Nos. 169, 17/1999
 State Superannuation Act 1988 – S.R. No. 12/1999
 Supreme Court Act 1986 – S.R. Nos. 141, 142, 150
 Tattersall Consultations Act 1958 – S.R. No. 15/1999
 Tobacco Act 1987 – S.R. No. 160
 Transfer of Land Act 1958 – S.R. Nos. 164, 165
 Transport Act 1983 – S.R. Nos. 140, 169, 171
 Water Industry Act 1994 – S.R. No. 151
 Wildlife Act 1975 – S.R. No. 152

Subordinate Legislation Act 1994 –

Ministers' exception certificates in relation to Statutory Rule Nos. 137, 139, 141, 142, 143, 144, 145, 150, 156, 157, 158, 162, 163, 10/1999, 20/1999

Ministers' exemption certificates in relation to Statutory Rule Nos. 136, 146, 151, 153, 154, 155, 159, 160, 164, 165, 166, 167, 169, 170, 171, 1/1999, 2/1999, 3/1999, 9/1999, 12/1999, 14/1999, 15/1999, 16/1999, 17/1999, 19/1999, 21/1999

Tattersall's – Financial Report for the year 1997-98

Victorian Fisheries Co-Management Council – Report for the year 1997-98

Victorian Relief Committee – Report for the year 1997-98, together with an explanation for the delay in tabling

Youth Parole Board and Youth Residential Board – Report for the year 1997-98.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 17 February 1998:

Building (Plumbing) Act 1998 – Remaining provisions (except for section 6) on 1 January 1999 (*Gazette No. S148, 11 December 1998*)

Drugs, Poisons and Controlled Substances (Amendment) Act 1988 – Remaining provisions on 31 December 1998 (*Gazette No. G49, 10 December 1998*)

Electricity Industry (Further Miscellaneous Amendment) Act 1997 – Sections 4(2), 6 and 8 (except paragraph (a)) on 13 December 1998 (*Gazette No. G50, 17 December 1998*)

Electricity Industry (Miscellaneous Amendment) Act 1997 – Section 11 on 13 December 1998 (*Gazette No. G50, 17 December 1998*)

Gas Safety Act 1997 – Remaining provisions on 1 February 1999 (*Gazette No. G3, 21 January 1999*)

Health Services (Further Amendment) Act 1998 – Section 6 on 21 December 1998 (*Gazette No. S148, 11 December 1998*)

Licensing and Tribunal (Amendment) Act 1998 – Remaining provisions on 1 February 1999 (*Gazette No. G51, 24 December 1998*)

Liquor Control Reform Act 1998 – Remaining provisions on 17 February 1999 (*Gazette No. S22, 16 February 1999*)

Melbourne Cricket Ground (Amendment) Act 1998 – Remaining provisions on 22 December 1998 (*Gazette No. S148, 11 December 1998*)

National Electricity (Victoria) Act 1997 – Remaining provisions on 13 December 1998 (*Gazette No. G50, 17 December 1998*)

Patriotic Funds (Amendment) Act 1998 – Remaining provisions on 1 December 1998 (*Gazette No. G47, 26 November 1998*)

Planning and Environment (Amendment) Act 1998 – Remaining provisions on 3 December 1998 (*Gazette No. G47, 26 November 1998*)

Printers and Newspapers (Repeal) Act 1998 – Remaining provisions on 19 November 1998 (*Gazette No. G46, 19 November 1998*)

Racing and Betting Acts (Amendment) Act 1998 – Remaining provisions (except for sections 14 and 15) on 10 December 1998 (*Gazette No. G49, 10 December 1998*). Sections 14 and 15 on 18 February 1999 (*Gazette No. G7, 18 February 1999*)

Rail Corporations (Further Amendment) Act 1998 – Sections 17, 18, 19, 22, 25 and 26 on 1 January 1999 (*Gazette No. G51, 24 December 1998*)

Road Safety (Amendment) Act 1998 – Remaining provisions on 1 May 1999 (*Gazette No. G11, 18 March 1999*)

Road Safety (Further Amendment) Act 1998 – Sections 5(1), 8, 11 and 12 on 1 May 1999 (*Gazette No. G11, 18 March 1999*)

State Taxation (Further Amendment) Act 1998 – Sections 12, 13, 14, 15, 27 and 30 on 1 February 1999 (*Gazette No. G3, 21 January 1999*)

Transport Acts (Amendment) Act 1998 – Remaining provisions on 4 March 1999 (*Gazette No. G9, 4 March 1999*)

Transport (Amendment) Act 1998 – Remaining provisions on 8 December 1998 (*Gazette No. S145, 8 December 1998*)

Victorian Institute of Marine Sciences (Repeal) Act 1998 – Remaining provisions on 1 January 1999 (*Gazette No. S148, 11 December 1998*).

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

Chattel Securities (Amendment) Bill
 Legal Aid (Amendment) Bill
 Racing and Betting Acts (Amendment) Bill
 Local Government (Nillumbik Shire Council) Bill
 Rail Corporations (Further Amendment) Bill
 Electricity Industry Acts (Amendment) Bill
 Gas Industry Acts (Amendment) Bill
 Land Titles Validation (Amendment) Bill
 State Taxation (Further Amendment) Bill
 Gaming Acts (Further Amendment) Bill
 Licensing and Tribunal (Amendment) Bill
 Melbourne City Link (Amendment) Bill.

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 17 November 1998

Accident Compensation (Amendment) Bill
 Education (Amendment) Bill
 Livestock Disease Control (Amendment) Bill
 Superannuation Acts (Amendment) Bill
 Transfer of Land (Single Register) Bill
 Local Government (Governance and Melton) Bill

On 24 November 1998

Appeal Costs Bill
 Chattel Securities (Amendment) Bill
 Electricity Industry Acts (Amendment) Bill
 Gaming Acts (Further Amendment) Bill
 Gas Industry Acts (Amendment) Bill
 Land Titles Validation (Amendment) Bill
 Legal Aid (Amendment) Bill
 Liquor Control Reform Bill
 Local Government (Nillumbik Shire Council) Bill
 Petroleum Bill
 Racing and Betting Acts (Amendment) Bill
 Rail Corporations (Further Amendment) Bill
 Transport (Amendment) Bill
 Victorian College of the Arts (Amendment) Bill

On 1 December 1998

Licensing and Tribunal (Amendment) Bill
 Melbourne City Link (Amendment) Bill
 State Taxation (Further Amendment) Bill
 Melbourne Cricket Ground (Amendment) Bill.

- 10 **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:
 Barley Marketing (Amendment) Bill
 Environment Protection (Amendment) Bill.
- 11 **GRIEVANCES** - Motion made, by leave, and question - That for the purposes of Sessional Order No. 4(1), Wednesday, 14 April 1999 be appointed a day upon which the question "That grievances be noted" may be put (*Mr Gude*) - put and agreed to.
- 12 **CORRECTION OF BILL TITLES** - 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.
- 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., Thursday, 25 March 1999:
 Magistrates' Court (Amendment) Bill
 Statute Law Revision (Repeals) Bill
 Public Sector Reform (Further Amendments) Bill
 Environment Protection (Amendment) Bill
 Barley Marketing (Amendment) Bill
 (*Mr Gude*) - put and agreed to.
- 14 **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.
*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 10.53 p.m.

No. 44 – Wednesday, 24 March 1999

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Catchment Management Authorities** - Seeking that the Government reverses its decision to allow the Catchment Management Authorities to levy taxes from the people of Victoria, bearing 3,151 and 3,468 signatures (*by Ms Garbutt and Mr Loney, respectively*)
 - Legal Limit for Pippies** - Seeking that the Government reduces the legal limit for removal of pippies from the beach to 1 litre per family per day, bearing 1,969 signatures (*by Ms Garbutt*)
 - Minyip Sewerage Scheme** - Seeking that the proposed Minyip Sewerage Scheme, as outlined by Grampians Water, not be allowed in the Wimmera township of Minyip, bearing 21 signatures (*by Ms Garbutt*)
 - Orbital Transport Corridor** - Seeking that at no time will the proposed orbital transport corridor freeway or tollway go through the north east suburban 'green wedge' and that any upgrading of existing roads will not be at the cost of the environment, bearing 162 signatures (*by Mr Phillips*)

Severally ordered to lie on the Table.
- 3 **PAPERS PURSUANT TO STATUTE** – The following Papers, pursuant to the direction of several Acts of Parliament, were laid upon the Table by the Clerk:
 - National Rail Corporation (Victoria) Act 1991 – Commonwealth and States Rail Corporation Third Amending Agreement
 - Planning and Environment Act 1987 – Notices of approval of amendments to the following Planning Schemes:
 - Banyule Planning Scheme – No. L25
 - Castlemaine Planning Scheme – No. L21
 - Kingston Planning Scheme – No. L46
 - Knox Planning Scheme – No. L158
 - Monash Planning Scheme – No. L40
 - Nillumbik Planning Scheme – No. L18
 - Sale Planning Scheme – No. L32
 - Yarra Planning Scheme – No. L73
 - Statutory Rules under the following Acts:
 - Physiotherapists Act 1978 – S.R. No. 23
 - Victorian Civil and Administrative Tribunal Act 1998 – S.R. No. 24
 - Subordinate Legislation Act 1994 –
 - Minister's exception certificate in relation to Statutory Rule No. 24
 - Minister's exemption certificate in relation to Statutory Rule No. 23.
- 4 **ADJOURNMENT MOTION - CATCHMENT MANAGEMENT AUTHORITY TAX** – Ms Garbutt proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

"The public statement made by the Member for Warrnambool on 12 March 1999 in which he said that the Catchment Management Authority tax is inequitable and could not be justified and that Catchment Management Programs should be funded from consolidated revenue and that this statement by a senior Member of the Government opposes stated Government policy".

Mr Speaker having ascertained that twelve members approved of the proposed discussion - Motion made and question - That the House do now adjourn (*Ms Garbutt*) - after debate, put. The House divided.

AYES, 29

Mr Baker	Ms Delahunty	Mr Loney	Mr Seitz
Mr Batchelor	Mr Dollis	Mr McLellan	Mr Thwaites
Mr Brumby	Ms Garbutt	(<i>Frankston East</i>)	Mrs Wilson
Mr Cameron	Ms Gillett	Mrs Maddigan	
Mrs Campbell	Mr Hamilton	Mr Micallef	<i>Tellers</i>
Mr Carli	Mr Hulls	Mr Mildenhall	Mr Langdon
Mr Cunningham	Ms Kosky	Mr Pandazopoulos	Mr Lim
Ms Davies	Mr Leighton	Mr Savage	Mr Robinson

NOES, 50

Mr Andrighetto	Mr Jenkins	Dr Naphthine	Mr Steggall
Mr Ashley	Mr John	Mr Paterson	Mrs Tehan
Ms Burke	Mr Lean	Mr Perrin	Mr Thompson
Mr Clark	Mr Leigh	Mr Perton	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 Doyle	Mr McGrath	(<i>Benambra</i>)	
Mr Elder	(<i>Warrnambool</i>)	Mr Reynolds	
Mrs Elliott	Mr McGrath	Mr Rowe	
Mr Finn	(<i>Wimmera</i>)	Mr Ryan	<i>Tellers</i>
Mr Gude	Mr McNamara	Mrs Shardey	Mr Dixon
Mrs Henderson	Mr Maclellan	Mr Smith	Mr Kilgour
Mr Honeywood	(<i>Pakenham</i>)	(<i>Polwarth</i>)	Mr Smith
Mr Jasper	Mr Maughan	Mr Spry	(<i>Glen Waverley</i>)

And so it passed in the negative.

- 5 **PLANNING DECISIONS** - Motion made and question proposed - That this House condemns the Minister for Planning and Local Government for - (a) allowing the misuse of "Commercial in Confidence" clauses to hide shady deals on major projects from the Victorian public; and (b) flagrantly ignoring the rights of ordinary Victorians by overriding the planning decisions of democratically elected local councils and calling-in planning appeals from the Administrative Appeals Tribunal (*Mr Dollis*).

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

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

- 7 **TATTERSALL CONSULTATIONS (AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend 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.
- 8 **TRANSPORT ACCIDENT (FURTHER AMENDMENT) BILL** - Mr Stockdale obtained leave with Mr Gude, to bring in a Bill "*to amend the Transport Accident 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.
- 9 **YEAR 2000 INFORMATION DISCLOSURE BILL** - Mr Stockdale obtained leave with Mr Gude, to bring in a Bill "*to encourage the voluntary disclosure and exchange of information about year 2000 computer problems and remediation efforts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **OFFICE OF THE REGULATOR-GENERAL (AMENDMENT) BILL** - Mr Stockdale, after debate, 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.
- 11 **SUPERANNUATION ACTS (FURTHER AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Emergency Services Superannuation Act 1986, the Magistrates' Court Act 1989, 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.
- 12 **GOVERNMENT SUPERANNUATION BILL** - Mr Stockdale, after debate, obtained leave with Mr Gude to bring in a Bill "*to provide for the administration of certain Victorian superannuation schemes, to repeal the Public Sector Superannuation (Administration) Act 1993, to consequentially 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.
- 13 **WATER ACTS (AMENDMENT) BILL** - Mr McNamara, after debate, 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.
- 14 **LAND (RESERVATIONS AND OTHER MATTERS) BILL** - Mrs Tehan, after debate, obtained leave with Mr Gude, to bring in a Bill "*to provide for the revocation of the reservations over certain pieces of land, to provide for the re-reservation of certain land and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **EDUCATION ACTS (AMENDMENT) BILL** - Mr Gude, after debate, obtained leave with Mrs Wade, to bring in a Bill "*to amend the Education Act 1958 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.

- 16 **TRANSPORT ACTS (FURTHER AMENDMENT) BILL** - Mr Cooper, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Public Transport Competition Act 1995 and the Transport 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.
- 17 **LEGAL PRACTICE (PRACTISING CERTIFICATES) BILL** - Mrs Wade obtained leave with Mr Gude, to bring in a Bill "*to amend the Legal Practice Act 1996 to alter the practising certificate year from the calendar year to the financial year and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 **CORONERS (AMENDMENT) BILL** - Mrs Wade obtained leave with Mr Gude, to bring in a Bill "*to amend the Coroners 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.
- 19 **FAIR TRADING BILL** - Mrs Wade obtained leave with Mr Gude, to bring in a Bill "*to re-enact with amendments laws relating to trading practices, to make further provision about trading practices, to repeal the Consumer Affairs Act 1972, the Ministry of Consumer Affairs Act 1973, the Fair Trading Act 1985 and the Market Court Act 1978 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 20 **SURVEILLANCE DEVICES BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill "*to regulate the installation, use and maintenance of surveillance devices and restrict the publication of information gained from their use, to repeal the Listening Devices Act 1969, to amend the Evidence 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 **SENTENCING (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Sentencing Act 1991 and the Children and Young Persons 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.
- 22 **MAGISTRATES' COURT (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 Jasper	Mr McNamara	Mrs Shardey
Mr Ashley	Mr Jenkins	Mr Maclellan	Mr Spry
Ms Burke	Mr John	(Pakenham)	Mrs Tehan
Mr Clark	Mr Kennett	Dr Napthine	Mr Thompson
Mr Coleman	Mr Lean	Mr Paterson	Mr Traynor
Mr Cooper	Mr Leigh	Mr Perrin	Mr Treasure
Dr Dean	Mr Lupton	Mr Perton	Mrs Wade
Mr Doyle	Mr McArthur	Mrs Peulich	Mr Wells
Mr Elder	Ms McCall	Mr Phillips	
Mrs Elliott	Mrs McGill	Mr Reynolds	Tellers
Mr Finn	Mr McGrath	Mr Richardson	Mr Dixon
Mr Gude	(Wimmera)	Mr Rowe	Mr Kilgour
Mrs Henderson	Mr McLellan	Mr Ryan	Mr Smith
Mr Honeywood	(Frankston East)	Mr Savage	(Glen Waverley)

NOES, 29

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

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.

- 23 **STATUTE LAW REVISION (REPEALS) 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.

- 24 **PUBLIC SECTOR REFORM (FURTHER AMENDMENTS) 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 Jenkins	Mr Maughan	Mr Smith
Mr Ashley	Mr John	Dr Naphthine	<i>(Polwarth)</i>
Ms Burke	Mr Lean	Mr Paterson	Mr Spry
Mr Clark	Mr Leigh	Mr Perrin	Mrs Tehan
Mr Coleman	Mr Lupton	Mr Perton	Mr Thompson
Mr Cooper	Mr McArthur	Mrs Peulich	Mr Traynor
Ms Davies	Ms McCall	Mr Phillips	Mr Treasure
Dr Dean	Mrs McGill	Mr Plowman	Mrs Wade
Mr Doyle	Mr McGrath	<i>(Benambra)</i>	Mr Wells
Mr Elder	<i>(Wimmera)</i>	Mr Reynolds	
Mr Finn	Mr McLellan	Mr Richardson	<i>Tellers</i>
Mr Gude	<i>(Frankston East)</i>	Mr Rowe	Mr Dixon
Mrs Henderson	Mr McNamara	Mr Ryan	Mr Kilgour
Mr Honeywood	Mr Maclellan	Mr Savage	Mr Smith
Mr Jasper	<i>(Pakenham)</i>	Mrs Shardey	<i>(Glen Waverley)</i>

NOES, 28

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

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

*Business having been interrupted at 10.06 p.m.
pursuant to Sessional Orders.*

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

By leave, Bill read a third time forthwith.

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

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 10.54 p.m., adjourned until tomorrow.

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 45 – Thursday, 25 March 1999

1 Mr Speaker took the Chair and read the Prayer.

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

Late Term Partial Birth Abortions - Seeking that Section 10 of the Crimes Act be amended to disallow the practice of late term partial birth abortions in Victoria, bearing 32 signatures (*by Mr Traynor*)

Powercor Kyneton Depot - Seeking that the Government makes representations to Powercor to reverse its decision to close the Kyneton Depot, bearing 1,492 signatures (*by Mr Traynor*)

Catchment Management Authorities - Seeking that the Government reverses its decision to allow the Catchment Management Authorities to levy taxes from the people of Victoria, bearing 6,619 signatures (*by Ms Garbutt*)

Broadmeadows Valley Park Fast Train Route - Seeking that the House opposes the proposed Broadmeadows Valley Park Fast Train Route, bearing 234 signatures *(by Mrs Maddigan)*

Wesleyan Chapel, Mount Alexander Road, Flemington - Seeking that the Government – (a) opposes the demolition of the Wesleyan Chapel at Mount Alexander Road, Flemington; (b) amends legislation so that demolition permits can only be issued by the local government authority in which the buildings are located; and (c) ensures that demolition permits cannot be issued without 14 days notice of the application being displayed on the site, bearing 202 signatures *(by Mrs Maddigan)*

Rail Line – Broadmeadows to Tullamarine Airport - Seeking that submissions be called for in relation to the entire proposal to develop a third rail line along the Broadmeadows line to the Tullamarine Airport and that no other action be taken until an Environmental Effects Statement is completed, bearing 251 signatures *(by Mrs Maddigan)*

Spear Thistle in Lang Lang/Caldermeade - Seeking that the Minister for Agriculture and Resources makes the control of spear thistle over large areas in the Lang Lang/Caldermeade district a Government priority, bearing 610 signatures *(by Ms Davies)*

West Gippsland Catchment Management Authority - Seeking that the Minister for Agriculture and Resources withdraws the imposed levy of \$25 demanded by the West Gippsland Catchment Management Authority and makes funding for the Authority available by other means, bearing 79 signatures *(by Ms Davies)*

National Park – Strzelecki State Forest - Seeking that the Government implement the establishment of a 30,000 hectare National Park in the Strzelecki State Forest, as outlined in the proposal produced by Devenish, Constable and Standerling, bearing 191 signatures *(by Ms Davies)*

'Bellfield' Name Restoration - Seeking that the Government and the Minister for Conservation and Land Management restore the name Bellfield to the area bounded by Banksia Street, Waterdale Road, Bell Street and the Darebin Creek in the City of Banyule, bearing 128 signatures *(by Mr Langdon)*

'Ivanhoe' Name Retention - Seeking that the Government and the Minister for Conservation and Land Management retain the name Ivanhoe for the area bounded by Banksia Street, Waterdale Road, Bond Street and the Darebin Creek in the City of Banyule, bearing 262 signatures *(by Mr Langdon)*

1997-98 South East Centre Against Sexual Assault (SECASA) Annual Report Recommendations - Seeking that the Government immediately enact the recommendations in the 1997-98 SECASA annual report that – (a) the criminal offence of sexual assault against a child be vigorously prosecuted; (b) protocols be developed within religious organisations to ensure that the option of the criminal justice system is pursued to ensure evidence is not contaminated by internal investigations; and (c) educational programs be funded to increase knowledge for parents and teachers about the physical and emotional indicators of physical and sexual abuse of children, bearing 790 signatures *(by Mrs McGill)*.

Severally ordered to lie on the Table.

- 3 **PETITION – CATCHMENT MANAGEMENT AUTHORITIES** - Motion made and question - That the petition presented by the Member for Bundoora relating to the Catchment Management Authorities be taken into consideration tomorrow *(Ms Garbutt)* - put and agreed to.

-
- 4 **PETITION – CONTROL OF SPEAR THISTLE** - Motion made and question - That the petition presented by the Member for Gippsland West relating to the control of spear thistle in the Lang Lang/Caldermeade district be taken into consideration tomorrow (*Ms Davies*) - put and agreed to.
- 5 **PETITION – WEST GIPPSLAND CATCHMENT MANAGEMENT AUTHORITY** - Motion made and question - That the petition presented by the Member for Gippsland West relating to the West Gippsland Catchment Management Authority be taken into consideration tomorrow (*Ms Davies*) - put and agreed to.
- 6 **PETITION – NATIONAL PARK – STRZELECKI STATE FOREST** - Motion made and question - That the petition presented by the Member for Gippsland West relating to the establishment of a National Park in the Strzelecki State Forest be taken into consideration tomorrow (*Ms Davies*) - put and agreed to.
- 7 **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 – Documents pursuant to section 12H – Poisons Code –
 - Standard for the Uniform Scheduling of Drugs and Poisons No. 13
 - Amendment Nos. 1 and 2 to the Standard for the Uniform Scheduling of Drugs and Poisons No. 13
 - Notice regarding the amendments, commencement and availability of the Poisons Code
 - National Environment Protection Council - Report for the year 1997-98
 - Statutory Rules under the following Acts:
 - Fisheries Act 1995 – S.R. No. 25
 - Road Safety Act 1986 – S.R. Nos. 26, 27, 28, 29
 - Transport Act 1983 – S.R. No. 30
 - Subordinate Legislation Act 1994 – Minister’s exception certificate in relation to Statutory Rule No. 25.
- 8 **ORDER OF DAY DISCHARGED** – Motion made, by leave, and question – That the following Order of the Day, Government Business, be read and discharged:
- Public Correctional Services Authority Bill – Second reading – Resumption of debate.*
- and that the Bill be withdrawn (*Mr Gude*) – put and agreed to.
- 9 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 13 April 1999 (*Mr Gude*) - put and agreed to.
- 10 **ENVIRONMENT PROTECTION (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 House refuses to read this Bill a second time until the Government has provided a guarantee that local municipalities contributing to the landfill

disposal levy are returned \$1 per tonne, as a cash grant, to directly assist with their recycling costs, and abandons all plans for new toxic waste landfills" (*Ms Garbutt*) - 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 John	Mr Paterson	Mrs Tehan
Mr Ashley	Mr Lean	Mr Perrin	Mr Thompson
Ms Burke	Mr Leigh	Mr Perton	Mr Traynor
Mr Clark	Mr Lupton	Mrs Peulich	Mr Treasure
Mr Coleman	Mr McArthur	Mr Phillips	Mrs Wade
Mr Cooper	Ms McCall	Mr Plowman	Mr Wells
Dr Dean	Mrs McGill	(<i>Benambra</i>)	
Mr Doyle	Mr McGrath	Mr Reynolds	
Mr Elder	(<i>Warrnambool</i>)	Mr Richardson	
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	(<i>Frankston East</i>)	Mr Ryan	
Mr Gude	Mr McNamara	Mrs Shardey	<i>Tellers</i>
Mrs Henderson	Mr MacLellan	Mr Smith	Mr Dixon
Mr Honeywood	(<i>Pakenham</i>)	(<i>Polwarth</i>)	Mr Kilgour
Mr Jasper	Mr Maughan	Mr Spry	Mr Smith
Mr Jenkins	Dr Napthine	Mr Stockdale	(<i>Glen Waverley</i>)

NOES, 27

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

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.

- 11 **BARLEY MARKETING (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.

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.*

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

-
- 13 **BARLEY MARKETING (AMENDMENT) BILL** - Debate resumed on the question - That this Bill be now read a second time.
Motion made and question - That the debate be now adjourned (*Mr Richardson*) - put and agreed to.
Ordered - That the debate be adjourned until later this day.
- 14 **TATTERSALL CONSULTATIONS (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, 8 April 1999.
- 15 **TRANSPORT ACCIDENT (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 Mildenhall*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 8 April 1999.
- 16 **YEAR 2000 INFORMATION DISCLOSURE 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 Carli*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 8 April 1999.
- 17 **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 Thursday, 8 April 1999.
- 18 **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 Mildenhall*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 8 April 1999.
- 19 **GOVERNMENT SUPERANNUATION 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 Mildenhall*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 8 April 1999.
- 20 **WATER ACTS (AMENDMENT) BILL** - Motion made and question proposed - 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 (*Ms Garbutt*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 8 April 1999.

-
- 21 **EDUCATION ACTS (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 (*Ms Delahunty*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 8 April 1999.
- 22 **TRANSPORT ACTS (FURTHER AMENDMENT) 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, 8 April 1999.
- 23 **LEGAL PRACTICE (PRACTISING CERTIFICATES) 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 April 1999.
- 24 **CORONERS (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, 8 April 1999.
- 25 **FAIR TRADING 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.*
- Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of the House on 23 March 1999 had expired.*
- 26 **BARLEY MARKETING (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 11 inclusive be agreed to, the Bill be read a third time and the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.
- 27 **FAIR TRADING BILL** - Debate continued on question - That this Bill be now read a second time.
- 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 April 1999.
- 28 **SURVEILLANCE DEVICES 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 April 1999.

-
- 29 **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, 8 April 1999.
- 30 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mrs Wade*) - put and agreed to.
- 31 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 5.14 p.m., adjourned until Tuesday, 13 April 1999.

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos. 46, 47 and 48

No. 46 – Tuesday, 13 April 1999

- 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:

Edward Street Nursing Home, Ferntree Gully - Seeking that the Edward Street Nursing Home situated in Edward Street, Ferntree Gully be preserved as a public sector nursing home and not be sold to the private sector, bearing 859 signatures (*by Mr Thwaites*)

Home Loan Schemes - Seeking that the Government sponsored Home Loan Schemes under the lending instrument called Capital Indexed Loans sold since 1984/85 under the sub headings - Capil, Deferred Interest Scheme (DIS), Indexed Repayment Loan (IRL), Home Opportunity Loan Scheme (HOLS), and Shared Home Opportunity Scheme (SHOS) be - (a) recalculated; (b) payment and interest set at affordable levels; and (c) amended in order to assist the low income bracket Victorians the loans were meant to assist, bearing 138 signatures (*by Mrs Wilson*)

Rail Line – Broadmeadows to Tullamarine Airport - Seeking that submissions be called for in relation to the entire proposal to develop a third rail line along the Broadmeadows line to the Tullamarine Airport and that no other action be taken until an Environmental Effects Statement is completed, bearing 19 signatures (*by Mrs Maddigan*)

Gippsland Lakes - Seeking that the House takes immediate steps to - (a) control and manage the effects of the current Gippsland Lakes' blue-green algae disaster in order to lessen the impact on residents and tourists; (b) implement scientific investigations into all possible causes of the explosive growth of the algae; and (c) based on the findings enact appropriate legislation, together with finance and manpower, to ensure ongoing protection for the Gippsland Lakes environment, bearing 9 signatures (*by Mrs Elliott*)

Catchment Management Authorities - Seeking that the Government reverses its decision to allow the Catchment Management Authorities to levy taxes from the people of Victoria, bearing 674 signatures (*by Mr Elder*)

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. 2 of 1999 on the –

Coroners (Amendment) Bill
 Education Acts (Amendment) Bill
 Fair Trading Bill
 Government Superannuation Bill
 Legal Practice (Practising Certificates) Bill
 Office of the Regulator-General (Amendment) Bill
 Sentencing (Amendment) Bill
 Superannuation Acts (Further Amendment) Bill
 Surveillance Devices Bill
 Tattersall Consultations (Amendment) Bill
 Transport Accident (Further Amendment) Bill
 Transport Acts (Amendment) Bill
 Water Acts (Amendment) Bill
 Year 2000 Information Disclosure Bill
 Magistrates' Court (Amendment) Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

PAPERS PURSUANT TO STATUTE –

Mrs Wade presented by Command of His Excellency the Governor:

County Court – Report for the year 1997-98.

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:

Financial Management Act 1994 –

Report from the Minister for Health that he had received the 1997-98 Annual Report of the Tweddle Child and Family Health Service

Report from the Minister for Tertiary Education and Training that he had received the 1998 Annual Report of the International Fibre Centre Ltd

Melbourne City Link Act 1995 –

Orders pursuant to section 8(4) increasing the Project Area (two orders)

Melbourne City Link Second Deed Amending the Master Security Deed

Exhibition Street Extension First Amending Deed

Statement of Variation No. 1/1999: ESEP Deed of Charge

Statement of Variation No. 2/1999: ESEP Deed of Guarantee and Indemnity

Statement of Variation No. 3/1999: ESEP Contract Sum Payment Directions Agreement

Planning and Environment Act 1987 –

Notices of approval of the following new Planning Schemes:–

Greater Dandenong Planning Scheme

Mitchell Planning Scheme

Notices of approval of amendments to the following Planning Schemes:

All Planning Schemes - No. S76
 Baw Baw Planning Scheme - No. C5
 Brimbank Planning Scheme - No. L53
 Darebin Planning Scheme - No. L65
 Greater Geelong Planning Scheme - Nos. R221, R234
 Horsham Planning Scheme - No. L13
 Hume Planning Scheme - Nos. L54, L59
 Knox Planning Scheme - Nos. L147, L178, L179
 Maroondah Planning Scheme - No. L24 Part 1
 Moira Planning Scheme - No. L21
 Victoria Planning Provisions - No. VC5
 Yarra Planning Scheme - No. L79

Prevention of Cruelty to Animals Act 1986 – Code of Practice for Debarking of Dogs

Statutory Rules under the following Acts:-

Adoption Act 1984 – S.R. No. 32
 Casino Control Act 1991 – S.R. No. 35
 Confiscation Act 1997 – S.R. No. 33
 Crimes Act 1958 – S.R. No. 33
 Discharged Servicemen's Preference Act 1943 – S.R. No. 31
 Food Act 1984 – S.R. No. 37
 Livestock Disease Control Act 1994 – S.R. No. 34
 Subordinate Legislation Act 1994 – S.R. Nos. 36, 38
 Supreme Court Act 1986 – S.R. No. 33

Subordinate Legislation Act 1994 –

Ministers' exception certificates in relation to Statutory Rule Nos. 33, 36, 38
 Ministers' exemption certificates in relation to Statutory Rule Nos. 27, 28, 30, 32, 34,
 37

Wildlife Act 1975 - Wildlife (Control of Hunting) Notice Nos. 1 and 2/1999.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 17 February 1998:

Land (Further Revocation of Reservations) Act 1998 – Part 3 and Schedule 4 on 1 April 1999 (*Gazette No. G13, 1 April 1999*)

Livestock Disease Control (Amendment) Act 1998 – Sections 4, 11 and 14 on 1 April 1999 (*Gazette No. G13, 1 April 1999*).

- 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:

Fair Trading Bill
 Government Superannuation Bill
 Superannuation Acts (Further Amendment) Bill
 Water 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. on Thursday, 15 April 1999:

Tattersall Consultations (Amendment) Bill
 Transport Accident (Further Amendment) Bill

Transport Acts (Further Amendment) Bill
 Legal Practice (Practising Certificates) Bill
 Coroners (Amendment) Bill
 Year 2000 Information Disclosure Bill
 Office of the Regulator-General (Amendment) Bill

(Mr McGrath, Wimmera) - put and agreed to.

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

8 **TATTERSALL CONSULTATIONS (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 **TRANSPORT ACCIDENT (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.

10 **TRANSPORT ACTS (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.

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

11 **ADJOURNMENT** - Mr Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.58 p.m.

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 47 – Wednesday, 14 April 1999

1 Mr Speaker took the Chair and read the Prayer.

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

Lang Lang Police Station - Seeking that the Government recognises the important role that the police station plays in community life in Lang Lang and withdraws the plans to close the station, bearing 731 signatures *(by Ms Davies)*.

Ordered to lie on the Table.

- 3 **PETITION - LANG LANG POLICE STATION** - Motion made and question - That the petition presented by the Member for Gippsland West relating to the Lang Lang Police Station be taken into consideration tomorrow (*Ms Davies*) - put and agreed to.
- 4 **GRIEVANCES** - Question - That grievances be noted - put, after debate, and agreed to.
- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 6 **RURAL FINANCE (AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr McGrath (*Wimmera*), to bring in a Bill "*to amend the Rural Finance 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.
- 7 **STATE TRUSTEES (STATE OWNED COMPANY) (AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr McGrath (*Wimmera*), to bring in a Bill "*to amend the State Trustees (State Owned Company) 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 **THE CONSTITUTION ACT AMENDMENT (AMENDMENT) BILL** - Mrs Wade, pursuant to a motion moved on her behalf by Mr McGrath (*Wimmera*), after debate, obtained leave with Mr Stockdale, to bring in a Bill "*to amend The Constitution Act Amendment Act 1958 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.
- 9 **FAIR TRADING (INSPECTORS POWERS AND OTHER AMENDMENTS) BILL** - Mrs Wade, pursuant to a motion moved on her behalf by Mr McGrath (*Wimmera*), obtained leave with Mr Stockdale, to bring in a Bill "*to provide for inspectors' powers in various Acts and to make other amendments to various Acts as a consequence of the Fair Trading Act 1999 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **YEAR 2000 INFORMATION DISCLOSURE 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.
- 11 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 2, be postponed until later this day.
- 12 **LEGAL PRACTICE (PRACTISING CERTIFICATES) 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.*

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

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 48 – Thursday, 15 April 1999

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Gippsland Lakes** - Seeking that the House takes immediate steps to - (a) control and manage the effects of the current Gippsland Lakes' blue-green algae disaster in order to lessen the impact on residents and tourists; (b) implement scientific investigations into all possible causes of the explosive growth of the algae; and (c) based on the findings enact appropriate legislation, together with finance and manpower, to ensure ongoing protection for the Gippsland Lakes environment, bearing 8 and 8 signatures (by Mr Richardson and Mr Treasure, respectively)
- Late Term Partial Birth Abortions** - Seeking that Section 10 of the Crimes Act be amended to disallow the practice of late term partial birth abortions in Victoria, bearing 1,154 signatures (by Mr Savage)
- Severally ordered to lie on the Table.
- 3 **PETITION – LATE TERM PARTIAL BIRTH ABORTIONS** - Motion made and question - That the petition presented by the Member for Mildura relating to the partial birth abortions be taken into consideration tomorrow (Mr Savage) - 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:
- Building Act 1993 –
- Building Code of Australia 1996 – Amendment No. 4
- Notice of the making of the Amendment (*Government Gazette No. S156, 31 December 1998*)
- Minister's exemption certificate under section 9(1) of the *Subordinate Legislation Act 1994*
- Legal Practice Act 1996 – Government Response to the Report of the Legal Ombudsman regarding Multi-Disciplinary Practices
- Planning and Environment Act 1987 – Notices of approval of amendments to the following Planning Schemes:
- Campaspe Planning Scheme - No. C2
- Hepburn Planning Scheme - No. L7
- Knox Planning Scheme - No. L181
- Nillumbik Planning Scheme - Nos. L15, L19

Pakenham Planning Scheme - No. L171
 Sherbrooke Planning Scheme - No. L138

Victorian Catchment Management Council - Report for the year 1997-98.

- 5 **RURAL FINANCE (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 Bracks*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 29 April 1999.
- 6 **STATE TRUSTEES (STATE OWNED COMPANY) (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 Bracks*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 29 April 1999.
- 7 **FAIR TRADING (INSPECTORS POWERS AND OTHER 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 Loney*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 29 April 1999.
- 8 **THE CONSTITUTION ACT AMENDMENT (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 Loney*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 29 April 1999.
- 9 **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 such time as industry stakeholders have been consulted regarding the proposal to narrow the grounds on which a decision of the Regulator-General may be reviewed by the appeal panel" (*Mr Loney*) - and, after debate -
 Question - That the words proposed to be omitted stand part of the question - put.

The House divided.

AYES, 46

Mr Andrighetto	Mr Leigh	Mr Paterson	Mr Stockdale
Mr Ashley	Mr Lupton	Mr Perton	Mrs Tehan
Ms Burke	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)	Mr Wells
Dr Dean	(Wimmera)	Mr Reynolds	
Mr Doyle	Mr McLellan	Mr Rowe	
Mrs Elliott	(Frankston East)	Mr Ryan	
Mrs Henderson	Mr McNamara	Mrs Shardey	Tellers
Mr Jasper	Mr MacLellan	Mr Smith	Mr Dixon
Mr Jenkin	(Pakenham)	(Polwarth)	Mr Kilgour
Mr John	Mr Maughan	Mr Spry	Mr Smith
Mr Lean	Dr Napthine	Mr Steggall	(Glen Waverley)

NOES, 28

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mrs Wilson
Mr Baker	Ms Delahunty	Mr Loney	
Mr Batchelor	Ms Garbutt	Mrs Maddigan	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Cameron	Mr Haermeyer	Mr Mildenhall	Tellers
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Mr Langdon
Mr Carli	Mr Hulls	Mr Savage	Mr Lim
Mr Cunningham	Ms Kosky	Mr Seitz	Mr Robinson

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.*

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

11 **CORONERS (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.

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of the House on Tuesday, 13 April 1999 had expired.

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.

- 12 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Dr Napthine*) - put and agreed to.
- 13 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 4.57 p.m., adjourned until Tuesday, 20 April 1999.

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. FLOWMAN
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos. 49, 50 and 51

No. 49 – Tuesday, 20 April 1999

- 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:

Gippsland Lakes - Seeking that the House takes immediate steps - (a) to control and manage the effects of the current Gippsland Lakes' blue-green algae disaster in order to lessen the impact on residents and tourists; (b) implement scientific investigations into all possible causes of the explosive growth of the algae; and (c) based on the findings enact appropriate legislation based on the findings, together with finance and manpower, to ensure ongoing protection for the Gippsland Lakes environment, bearing 8 signatures (*by Mr Traynor*)

Home Loan Schemes - Seeking that the Government sponsored Home Loan Schemes under the lending instrument called Capital Indexed Loans sold since 1984/85 under the subheadings - Capil, Deferred Interest Scheme (DIS), Indexed Repayment Loan (IRL), Home Opportunity Loan Scheme (HOLS), and Shared Home Opportunity Scheme (SHOS) be - (a) recalculated; (b) payment and interest set at affordable levels; and (c) amended in order to assist the low income bracket Victorians the loans were meant to assist, bearing 34 signatures (*by Mrs Wilson*)

Victorian Cemeteries and Crematoria - Seeking that all existing and future Victorian cemeteries and crematoria will be publicly owned and remain under the control of the Victorian Government, bearing 1,764 signatures (*by Mrs Campbell*).

Severally ordered to lie on the Table.

- 4 **PETITION - VICTORIAN CEMETERIES AND CREMATORIA** - Motion made and question - That the petition presented by the Member for Pascoe Vale relating to Victorian cemeteries and crematoria be taken into consideration tomorrow (*Mrs Campbell*) - put and agreed to.
- 5 **PAPERS** -
COMMONWEALTH TREATY DOCUMENTS - Motion made, by leave, and question - That there be presented to this House in accordance with the Government's Response to the Federal-State Relations Committee's First Report, *International Treaty Making and the Role of the States*, the following Treaty documents -
 - (a) Bilateral Agreements tabled in the Commonwealth Parliament on 11 November 1998, together with National Interest Analyses, dealing with -
 - Status of Forces, between Australia and Malaysia
 - Trade and Economic Co-operation, between Australia and Ukraine

Exchange of Letters amending the Agreement on Health Services, between Australia and the United Kingdom of Great Britain and Northern Ireland

Development Co-operation, between Australia and Indonesia

Exchange of Letters constituting an Agreement relating to the Movement of Nationals between Australia and France

(b) Bilateral Agreements tabled in the Commonwealth Parliament on 16 February 1999, together with National Interest Analyses, dealing with –

Status of Forces, between Australia and New Zealand

Defence Communications Services, between Australia and the United States of America

Acquisition and Cross-Servicing, between Australia and the United States of America

Treaty on Extradition, between Australia and South Africa

Mutual Assistance in Criminal Matters, between Australia and Sweden

(Mr Kennett) - put and agreed to.

The said documents were presented by Mr Kennett 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. 3 of 1999 on the Ambulance Services (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:

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

Bayside Planning Scheme – No. L17

Berwick Planning Scheme – No. L138

Maroondah Planning Scheme - Nos. L29, L30

Stonnington Planning Scheme – No. L79

Surf Coast Planning Scheme – No. L56

Yarra Planning Scheme – No. L88

Statutory Rules under the Forests Act 1958 – S.R. Nos. 39, 40

The following proclamation fixing an operative date was laid upon the Table by the Clerk pursuant to an Order of the House dated 17 February 1998:

National Parks (Amendment) Act 1998 – Remaining provisions on 15 April 1999 (*Gazette No. G15, 15 April 1999*).

- 6 **VICTORIAN HEALTH PROMOTION FOUNDATION** - Mr Speaker announced that he had received the following communication:

29 January 1999

The Hon S J Plowman, MP
Speaker of the Legislative Assembly
Parliament House
Spring Street
MELBOURNE VIC 3000

Dear Mr Plowman,

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 current three year terms of appointment of the Honourable Gerald Barry Ashman, MLC, Member for Koonung Province and Mrs Janet Tindale Calder Wilson, MP, Member for Dandenong North, are due to expire on 22 May 1999.

I would be grateful if you could place this matter on the agenda for a Joint Sitting of both Houses, in the Autumn Sitting of Parliament 1999.

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 elect two members of the Parliament to the Victorian Health Promotion Foundation and proposes that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday, 21 April 1999, 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 resolution and seeking their concurrence therein.

- 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, 22 April 1999:

Water Acts (Amendment) Bill
Superannuation Acts (Further Amendment) Bill
Government Superannuation Bill
Education Acts (Amendment) Bill
Fair Trading Bill
Surveillance Devices Bill
Sentencing (Amendment) Bill

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

- 8 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos 1 to 3 inclusive, be postponed until later this day.
- 9 **GOVERNMENT SUPERANNUATION 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, 49

Mr Andrighetto	Mr Lean	Mr Paterson	Mrs Tehan
Mr Ashley	Mr Leigh	Mr Perrin	Mr Thompson
Ms Burke	Mr Lupton	Mr Perton	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 Doyle	Mr McGrath	(Benambra)	
Mrs Elliott	(Warrnambool)	Mr Reynolds	
Mr Finn	Mr McGrath	Mr Richardson	
Mrs Henderson	(Wimmera)	Mr Rowe	
Mr Honeywood	Mr McNamara	Mr Ryan	Tellers
Mr Jasper	Mr Maclellan	Mr Smith	Mr Dixon
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	Mr Cunningham	Ms Kosky	Mr Seitz
Mr Baker	Ms Davies	Mr Leighton	Mrs Wilson
Mr Batchelor	Ms Delahunty	Mr Lim	
Mr Bracks	Mr Dollis	Mr Loney	
Mr Brumby	Ms Garbutt	Mr McLellan	Tellers
Mr Cameron	Mr Haermeyer	(Frankston East)	Mr Langdon
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Mrs Maddigan
Mr Carli	Mr Hulls	Mr Savage	Mr Robinson

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 **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 elect two Members of Parliament to the Victorian Health Promotion Foundation, as proposed by the Assembly.

-
- 11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Tattersall Consultations (Amendment) Bill
 - Statute Law Revision (Repeals) Bill
 - Transport Accident (Further Amendment) Bill
 - Transport Acts (Further Amendment) Bill.
- 12 **SUPERANNUATION ACTS (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.
- 13 **WATER 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.*
- 13 **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.

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 50 – Wednesday, 21 April 1999

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Motion made, by leave, and question - That Mr Bracks be discharged from attendance on the Public Accounts and Estimates Committee and that Mr Mildenhall be appointed in his stead (*Mr Gude*) - put and agreed to.
- 3 **PUBLIC HOUSING MAINTENANCE** - Motion made and question proposed - That this House congratulates the Government on reducing the public housing maintenance backlog inherited on coming to office in 1992 (*Mr Leigh*) - and, after debate -
- General Business having been interrupted at 2.00 p.m.
pursuant to Sessional Orders.*
- 4 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 5 **NEW TAX SYSTEM PRICE EXPLOITATION CODE (VICTORIA) BILL** – Mr Kennett, after debate, obtained leave with Mr Stockdale, to bring in a Bill "*to apply certain laws of the Commonwealth relating to the New Tax System Price Exploitation Code as laws of Victoria, to make a consequential amendment to the Competition Policy Reform (Victoria) 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.
- 6 **LOCAL GOVERNMENT (MELBOURNE CITY COUNCIL RATES) BILL** – Mr Maclellan (*Pakenham*) obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "*to amend the Local Government Act 1989 to permit the Melbourne City Council to continue to apply differential rates and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 **POLICE REGULATION AND FIREARMS (AMENDMENT) BILL** – Mr McGrath (*Wimmera*), after debate, obtained leave with Mr Maclellan (*Pakenham*), to bring in a Bill "*to amend the Police Regulation Act 1958 and the Firearms 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.
- 8 **SHRINE OF REMEMBRANCE (AMENDMENT) BILL** - Mrs Tehan obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "*to amend the Shrine of Remembrance Act 1978 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **GUARDIANSHIP AND ADMINISTRATION (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr Stockdale, to bring in a Bill "*to amend the Guardianship and Administration 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.
- 10 **FINANCIAL SECTOR REFORM (VICTORIA) BILL** - Mrs Wade obtained leave, with Mr Stockdale, to bring in a Bill "*to make provision for the reform of the financial sector, to amend and repeal the Financial Institutions (Victoria) Act 1992 and the Friendly Societies (Victoria) Act 1996 and to amend the Co-operative Housing Societies Act 1958 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.
- 11 **MENTAL HEALTH (AMENDMENT) BILL** – Dr Napthine obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "*to amend the Mental Health Act 1986 in respect of community support services, to establish a quality assurance committee and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **DENTAL PRACTICE BILL** – Dr Napthine obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "*to make further provision for the registration of dental care providers and investigations into the professional conduct and fitness to practise of registered dental care providers, to regulate dental care services, to establish a Dental Practice Board of Victoria and a Dental Practice Board Fund, to repeal the Dentists Act 1972 and the Dental Technicians Act 1972 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **STAMPS (AMENDMENT) BILL** – Mr Stockdale obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "*to make miscellaneous amendments to 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.

- 14 **WATER 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.
- 15 **EDUCATION 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 such time as the Government provides a guarantee that a professional teaching qualification is the central criterion in assessing the efficiency of all applicants for teaching positions in all schools." (*Ms Delahunty*) - 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.
- 16 **FAIR TRADING 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.
- 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 11.20 p.m.

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 51 – Thursday, 22 April 1999

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **VACANCIES IN THE MEMBERSHIP OF THE VICTORIAN HEALTH PROMOTION FOUNDATION** – Mr Speaker reported that, on Wednesday 21 April 1999, the House met with the Legislative Council in the Assembly Chamber for the purpose of sitting and voting together to elect two Members of the Parliament of Victoria to the Victorian Health Promotion Foundation, and that -

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

were elected to the Victorian Health Promotion Foundation.

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

Capital Punishment - Seeking that the Government will allow a referendum on Capital Punishment and legislate according to the wishes of the majority, bearing 51,645 signatures (*by Mr McLellan, Frankston East*)

Spear Thistle in Lang Lang/Caldermeade - Seeking that the Minister for Agriculture and Resources makes the control of Spear Thistle over large areas in the Lang Lang/Caldermeade district a Government priority, bearing 446 signatures (*by Ms Davies*)

Intensive Behaviour Intervention Service Facility, South Morang - Seeking that the House vote in support of the immediate cessation of all work on the proposed construction of the Intensive Behaviour Intervention Service facility on the site of the old South Morang Primary School, 875 Old Plenty Road, South Morang and that full and open consultation will take place with the local community regarding its operations and location, bearing 1,487 signatures (*by Mr Andrianopoulos*).

Severally ordered to lie on the Table.

- 4 **PETITION - INTENSIVE BEHAVIOUR INTERVENTION SERVICE FACILITY, SOUTH MORANG** - Motion made and question - That the petition presented by the Member for Mill Park relating to the proposed construction of the Intensive Behaviour Intervention Service facility on the site of the old South Morang Primary School be taken into consideration tomorrow (*Mr Andrianopoulos*) - put and agreed to.
- 5 **PETITION - CONTROL OF SPEAR THISTLE** - Motion made and question - That the petition presented by the Member for Gippsland West relating to the control of Spear Thistle in the Lang Lang/Caldermeade district be taken into consideration tomorrow (*Ms Davies*) - put and agreed to.
- 6 **PETITION - CAPITAL PUNISHMENT REFERENDUM** - Motion made and question - That the petition presented by the Member for Frankston East relating to allowing a referendum on Capital Punishment be taken into consideration tomorrow (*Mr McLellan, Frankston East*) - put and agreed to.
- 7 **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 - Report on the Northcote District By-election, 15 August 1998
 - Crown Land (Reserves) Act 1978 - Section 17DA, Order granting under Section 17D a lease by the Greater Geelong City Council
 - Interpretation of Legislation Act 1984 - Notices under section 32(3)(a)(iii) in relation to Statutory Rule Nos. 26, 29.

- 8 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
 Barley Marketing (Amendment) Bill
 Environment Protection (Amendment) Bill.
- 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:
 The Constitution Act Amendment (Amendment) Bill
 Rural Finance (Amendment) Bill
 Fair Trading (Inspectors Powers and Other Amendments) Bill.
- 10 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 4 May 1999 (*Mr Gude*) - put and agreed to.
- 11 **SURVEILLANCE DEVICES 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 **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.
- 13 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 14 **SENTENCING (AMENDMENT) 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.
- 15 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 3, be postponed until later this day.
- 16 **EDUCATION 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 refuses to read this Bill a second time until such time as the Government provides a guarantee that a professional teaching qualification is the central criterion in assessing the efficiency of all applicants for teaching positions in all schools"; 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, 20 April 1999 had expired.
 Question - That the words proposed to be omitted stand part of the question - put.

The House divided.

AYES, 51

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

NOES, 31

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

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.

17 FAIR TRADING 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.

Question - That Government amendments Nos. 1 to 4 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.

- 18 **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 Thursday, 6 May 1999.
- 19 **NEW TAX SYSTEM PRICE EXPLOITATION CODE (VICTORIA) 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 Haermeyer*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 6 May 1999.
- 20 **LOCAL GOVERNMENT (MELBOURNE CITY COUNCIL RATES) 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 Haermeyer*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 6 May 1999.
- 21 **POLICE REGULATION AND FIREARMS (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.
 Motion made and question proposed - That the debate be adjourned for two weeks (*Mr McGrath, Wimmera*) – and, after debate – put.
 The House divided.

AYES, 49

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

NOES, 30

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

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 6 May 1999.

- 22 **SHRINE OF REMEMBRANCE (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, 6 May 1999.

- 23 **GUARDIANSHIP AND ADMINISTRATION (AMENDMENT) 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 (*Mrs Campbell*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 6 May 1999.

- 24 **FINANCIAL SECTOR REFORM (VICTORIA) 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 Mildenhall*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 6 May 1999.

- 25 **MENTAL HEALTH (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 Hulls*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 6 May 1999.

- 26 **DENTAL PRACTICE 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 Hulls*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 6 May 1999.

-
- 27 **STAMPS (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 Mildenhall*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 6 May 1999.
- 28 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mrs Henderson*) - put and agreed to.
- 29 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 6.40 p.m., adjourned until Tuesday, 4 May 1999.

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos. 52, 53 and 54

No. 52 – Tuesday, 4 May 1999

- 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:
 - Overfishing by Professional Netters** - Seeking that the Government acknowledges the concern with – (a) professional netters overfishing areas of Corio Bay and outer harbour including Stingray Bay, Curlewis Bank and Bellarine; and (b) associated safety features for recreation fisherpersons gaining access and egress of the aforementioned locations whilst professional netters are in operation, and takes action to address the situation immediately, bearing 849 signatures (*by Mr Spry*)
 - Gippsland Lakes** - Seeking that the House takes immediate steps - (a) to control and manage the effects of the current Gippsland Lakes' blue-green algae disaster in order to lessen the impact on residents and tourists; (b) to implement scientific investigations into all possible causes of the explosive growth of the algae; and (c) based on the findings to enact appropriate legislation, together with finance and manpower, to ensure ongoing protection for the Gippsland Lakes environment bearing 11 and 8 signatures (*by Mr Brumby and Mrs Elliott, respectively*)
 - Home Loan Schemes** - Seeking that the Government sponsored Home Loan Schemes under the lending instrument called Capital Indexed Loans sold since 1984/85 under the subheadings - Capil, Deferred Interest Scheme (DIS), Indexed Repayment Loan (IRL), Home Opportunity Loan Scheme (HOLS) and Shared Home Opportunity Scheme (SHOS) - (a) be recalculated; (b) have payment and interest set at affordable levels; and (c) be amended in order to assist the low income bracket Victorians the loans were meant to assist, bearing 90 signatures (*by Mrs Wilson*)
 - Racial Discrimination** - Seeking that the Government immediately launches an investigation in relation to occurrences of racial abuse and vilification generally, particularly in respect of Captain Frank and Elisabeth Staberhofer of Captain's Lodge International Motel, Sale, bearing 646 signatures (*by Mr Hamilton*)
 - Victorian Cemeteries and Crematoria** - Seeking that all existing and future Victorian cemeteries and crematoria will be publicly owned and remain under the control of the Victorian Government, bearing 9 signatures (*by Mrs Campbell*).
- Severally ordered to lie on the Table.
- 4 **PETITION – RACIAL DISCRIMINATION** - Motion made and question - That the petition presented by the Member for Morwell relating to occurrences of racial abuse and vilification be taken into consideration tomorrow (*Mr Hamilton*) - put and agreed to.

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. 4 of 1999 on the –

Dental Practice Bill
 Fair Trading Bill
 Fair Trading (Inspectors Powers and Other Amendments) Bill
 Financial Sector Reform (Victoria) Bill
 Guardianship and Administration (Amendment) Bill
 Land (Reservations and other Matters) Bill
 Local Government (Melbourne City Council Rates) Bill
 Magistrates' Court (Amendment) Bill
 Marine (Amendment) Bill
 Mental Health (Amendment) Bill
 New Tax System Price Exploitation Code (Victoria) Bill
 Police Regulation and Firearms (Amendment) Bill
 Rural Finance (Amendment) Bill
 Shrine of Remembrance (Amendment) Bill
 Stamps (Amendment) Bill
 State Trustees (State Owned Company) (Amendment) Bill
 Surveillance Devices Bill
 The Constitution Act Amendment (Amendment) Bill
 Year 2000 Information Disclosure Bill
 Water 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:

Bendigo Regional Institute of TAFE – Report for the year 1998
 Box Hill Institute of TAFE – Report for the year 1998
 Central Gippsland Institute of TAFE – Report for the year 1998 (two papers)
 Chisholm Institute of TAFE – Report for the year 1998
 Council of Adult Education – Report for the year 1998
 Crown Land (Reserves) Act 1978 – Section 17DA, Order granting approval under section 17D to a lease by the Historic Buildings Management Committee in the City of Geelong
 East Gippsland Institute of TAFE – Report for the year 1998
 Gordon Institute of TAFE – Report for the year 1998
 Goulburn Ovens Institute of TAFE – Report for the year 1998
 Holmesglen Institute of TAFE – Report for the year 1998
 Hospitals Superannuation Board – Report for the period 1 July 1998 to 31 December 1998
 Kangan Batman Institute of TAFE – Report for the year 1998
 Medical Practitioners Board (incorporating the Report of the Intern Training Accreditation Committee) – Report for the year ended 30 September 1998

Melbourne City Link Act 1995 – Order pursuant to section 8(4) increasing the Project Area

Melbourne Institute of Textiles – Report for the year 1998

Northern Melbourne Institute of TAFE – Report for the year 1998

Planning and Environment Act 1987 –

Notice of approval of the new Warrnambool Planning Scheme

Notices of approval of amendments to the following Planning Schemes:

All Victorian Planning Schemes – No. S74

Bairnsdale (City) Planning Scheme – No. L45

Berwick Planning Scheme – No. L143

Boroondara Planning Scheme – No. L51

Brimbank Planning Scheme – No. L65

Corangamite Planning Scheme – No. L12

Glen Eira Planning Scheme – No. L25

Greater Bendigo Planning Scheme – No. L86

Knox Planning Scheme – No. L182

Macedon Ranges Planning Scheme – No. L25

Monash Planning Scheme – No. L55

Phillip Island Planning Scheme – No. L77

Sherbrooke Planning Scheme – No. L137

Whitehorse Planning Scheme – No. L46

Wodonga Rural City Planning Scheme – No. L23

South West Institute of TAFE – Report for the year 1998 (two papers)

Statutory Rules under the following Acts:

House Contracts Guarantee Act 1987 – S.R. No. 41

Physiotherapists Registration Act 1998 – S.R. No. 43

Tobacco Act 1987 – S.R. No. 42

Subordinate Legislation Act 1994 – Minister's exemption certificates in relation to Statutory Rule Nos. 42, 43

Sunraysia Institute of TAFE – Report for the year 1998

William Angliss Institute of TAFE – Report for the year 1998 (two papers)

Wodonga Institute of TAFE – Report for the year 1998

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 17 February 1998:

Electricity Industry Acts (Amendment) Act 1998 – Sections 5, 7, 8, 9, 10, 11, 12, 13(1), 22, 27, 28, 29 and 30 on 3 May 1999 (*Gazette No. G17, 29 April 1999*)

Electricity Safety Act 1998 – The remaining provisions of Part 3; Parts 4 and 5; Part 6 (except section 70(4)); Part 9; section 128; Division 1 of Part 12; sections 152, 153, 154, 155, 156, 160, 161 and 163(1)(d); and Schedule 1 on 3 May 1999 (*Gazette No. G17, 29 April 1999*)

Rail Corporations (Amendment) Act 1997 – Remaining provisions (except sections 4, 36 and 37) on 29 April 1999 (*Gazette No. G17, 29 April 1999*)

Rail Corporations (Amendment) Act 1998 – Section 10 on 29 April 1999 (*Gazette No. G17, 29 April 1999*)

Rail Corporations (Further Amendment) Act 1998 – Part 2 (except section 16); sections 20, 21, 23, 24, 34, 35, 37, 38 and 39; and the remaining provisions of Part 4 (except section 48) on 29 April 1999 (*Gazette No. G17, 29 April 1999*)

State Taxation (Further Amendment) Act 1998 – Sections 22 and 23 on 1 May 1999 (*Gazette No. G16, 22 April 1999*).

- 6 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had, on 28 April 1999, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Barley Marketing (Amendment) Bill
 Environment Protection (Amendment) Bill
 Statute Law Revision (Repeals) Bill
 Tattersall Consultations (Amendment) Bill
 Transport Accident (Further Amendment) Bill
 Transport Acts (Further 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:

Dental Practice Bill
 Financial Sector Reform (Victoria) Bill
 Land (Reservations and Other Matters) Bill
 Mental Health (Amendment) Bill
 New Tax System Price Exploitation Code (Victoria) Bill
 Police Regulation and Firearms (Amendment) Bill
 Stamps (Amendment) Bill.

- 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 (1999/2000) Bill, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 1999/2000.

Estimates ordered to lie on the Table.

- 9 **APPROPRIATION (1999/2000) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "*for the appropriation of certain sums out of the Consolidated Fund in respect of the financial year 1999/2000 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and, after debate, ordered to be 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, 6 May 1999.

- 10 **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 1999/2000) Bill, and accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 1999/2000.

Estimates ordered to lie on the Table.

- 11 **APPROPRIATION (PARLIAMENT 1999/2000) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 1999/2000 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 Thwaites*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 6 May 1999.
- 12 **ORDERS OF THE HOUSE RESCINDED** - Motion made, by leave, and question - That the Orders of the House making the resumption of debate on the second readings of the Local Government (Melbourne City Council Rates) Bill, Mental Health (Amendment) Bill and Stamps (Amendment) Bill, Orders of the Day for Thursday, 6 May 1999 be read and rescinded and that they be made Orders of the Day for tomorrow (*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, 6 May 1999:
- Rural Finance (Amendment) Bill
 - State Trustees (State Owned Company) (Amendment) Bill
 - Fair Trading (Inspectors Powers and Other Amendments) Bill
 - The Constitution Act Amendment (Amendment) Bill
 - Local Government (Melbourne City Council Rates) Bill
 - Mental Health (Amendment) Bill
 - Stamps (Amendment) Bill
- (*Mr Gude*) - put and agreed to.
- 14 **RURAL FINANCE (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 **STATE TRUSTEES (STATE OWNED COMPANY) (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 **FAIR TRADING (INSPECTORS POWERS AND OTHER AMENDMENTS) 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.

17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Magistrates' Court (Amendment) Bill without amendment.

18 **AMBULANCE SERVICES (FURTHER AMENDMENT) BILL** - Mr Speaker announced the receipt of a Message from the Council transmitting a Bill "*to amend the Ambulance Services Act 1986 and for other purposes*" and desiring the concurrence of the Assembly therein.

On the motion of Dr Naphthine, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

19 **THE CONSTITUTION ACT AMENDMENT (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.

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

20 **ADJOURNMENT** - Mr Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.49 p.m.

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 53 – Wednesday, 5 May 1999

1 Mr Speaker took the Chair and read the Prayer.

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

Liquor Licence - Seeking that the village atmosphere and shopping amenity of the Hamilton Place Shopping Centre, Mount Waverley, be not further eroded by the granting of another packaged liquor licence to Liquorland Australia Pty. Ltd., bearing 310 signatures (*by Mr Coleman*).

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:

Financial Management Act 1994 – Budget Paper No. 3 1999-2000 Budget Estimates.

-
- 4 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Public Sector Reform (Further Amendments) Bill
Office of the Regulator-General (Amendment) Bill
Year 2000 Information Disclosure Bill.
- 5 **SOCIAL POLICIES** - Motion made and question proposed - That this House condemns the Government for treating ordinary Victorians as customers rather than citizens and calls the Government to introduce more socially compassionate policies in relation to gaming, public housing, aged care, health and education (*Mr Brumby*) - 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 **RAIL CORPORATIONS AND TRANSPORT ACTS (AMENDMENT) BILL** – Mr Cooper obtained leave, with Mr Gude, to bring in a Bill "*to amend the Rail Corporations Act 1996, the Transport Act 1983, the Public Transport Competition Act 1995 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 **AUSTRALIA ACTS (REQUEST) BILL** – Mr Kennett obtained leave, with Mrs Wade, to bring in a Bill "*to request the amendment of the Australia Acts 1986 in connection with proposed constitutional arrangements to establish the Commonwealth of Australia as a republic*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **FOOD (AMENDMENT) BILL** – Mr McNamara obtained leave, with Mr Kennett, to bring in a Bill "*to amend the Food 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.
- 10 **COMMONWEALTH PLACES (MIRROR TAXES ADMINISTRATION) BILL** – Mr Stockdale obtained leave, with Mr Kennett, to bring in a Bill "*to provide for the administration and operation of State taxing laws that are applied as Commonwealth laws in relation to Commonwealth places, to make consequential amendments to State taxing laws 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 ACTS (AMENDMENT) BILL** – Mr Stockdale obtained leave, with Mr Kennett, to bring in a Bill "*to amend the Debts Tax Act 1990, the Financial Institutions Duty Act 1982, the Gaming Machine Control Act 1991, the Pay-roll Tax Act 1971, the Stamps Act 1958, the Tattersall Consultations Act 1958, the Taxation Administration Act 1997 and the Taxation (Interest on Overpayments) 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.
- 12 **ELECTRICITY INDUSTRY ACTS (FURTHER AMENDMENT) BILL** – Mr Stockdale obtained leave, with Mr Kennett, to bring in a Bill "*to amend the Electricity Industry Act 1993 and the Electricity Safety Act 1998 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 13 **GAS INDUSTRY ACTS (FURTHER AMENDMENT) BILL** – Mr Stockdale, after debate, obtained leave with Mr Gude, to bring in a Bill "*to make further amendments to the Gas Industry Act 1994, the Gas Pipelines Access (Victoria) Act 1998, the Gas Safety 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.
- 14 **INTERACTIVE GAMING (PLAYER PROTECTION) BILL** – Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*relating to interactive gaming, to make certain consequential amendments and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **PROSTITUTION CONTROL (AMENDMENT) BILL** – Mrs Wade, after debate, obtained leave with Mr McGrath (*Wimmera*), to bring in a Bill "*to amend the Prostitution Control Act 1994, the Summary Offences Act 1966 and the Confiscation 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.
- 16 **CRIMES (CRIMINAL TRIALS) BILL** - Mrs Wade obtained leave, with Mr Maclellan (*Pakenham*), to bring in a Bill "*to improve the efficiency of criminal trials, to amend the Crimes Act 1958, the Evidence Act 1958, the Magistrates' Court Act 1989 and the Sentencing Act 1991, to repeal the Crimes (Criminal Trials) 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.
- 17 **ESTATE AGENTS (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Maclellan (*Pakenham*), to bring in a Bill "*to amend the Estate Agents Act 1980 and the Fundraising Appeals Act 1998 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 **FREEDOM OF INFORMATION (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr Maclellan (*Pakenham*), to bring in a Bill "*to amend the Freedom of Information Act 1982 with respect to the disclosure of documents affecting personal privacy, to make a consequential amendment to the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos 1 to 4 inclusive, be postponed until later this day.
- 20 **AMBULANCE SERVICES (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 (*Mr Thwaites*) - put and agreed to.
 Ordered - That the debate be adjourned until Wednesday, 19 May 1999.
- 21 **THE CONSTITUTION ACT AMENDMENT (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.

- 22 **LOCAL GOVERNMENT (MELBOURNE CITY COUNCIL RATES) 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.
- 23 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Legal Practice (Practising Certificates) Bill without amendment.
- 24 **MENTAL HEALTH (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 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
Coroners (Amendment) Bill
Superannuation Acts (Further Amendment) Bill
Government Superannuation Bill.
- 26 **STAMPS (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.
- 27 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr McGrath, Wimmera*) - put and agreed to.
- 28 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 10.44 p.m., adjourned until tomorrow.

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 54 – Thursday, 6 May 1999

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

Racial Discrimination - Seeking that the Government immediately launches an investigation in relation to occurrences of racial abuse and vilification generally, particularly in respect of Captain Frank and Elisabeth Staberhofer of Captain's Lodge International Motel, Sale, bearing 9 signatures (*by Mr Hamilton*)

Catchment Management Authorities - Seeking that the Government reverses its decision to allow the Catchment Management Authorities to levy taxes from the people of Victoria, bearing 107 signatures (*by Mr Hamilton*).

Severally ordered to lie on the Table.

- 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:

Crown Land (Reserves) Act 1978 – Section 17DA, Order granting approval under section 17D to the variation of an existing lease to Albert Park Golf Management Pty Ltd by Parks Victoria

Wonthaggi and District Hospital – Report for the year 1997-98, together with an explanation for the delay in tabling (two papers).

- 4 **SHRINE OF REMEMBRANCE (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.

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

Ordered – That this Bill be committed later this day.

- 5 **APPROPRIATION (1999/2000) 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 (1999/2000) BILL** - Debate continued on question - That this Bill be now read a second time.

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

Ordered - That the debate be adjourned until tomorrow.

- 8 **SHRINE OF REMEMBRANCE (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.

- 9 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 3 be postponed until later this day.

- 10 **RAIL CORPORATION AND TRANSPORT ACTS (AMENDMENT) BILL** - Motion made and question proposed - 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, 20 May 1999.
- 11 **AUSTRALIA ACTS (REQUEST) 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 (*Mr Hulls*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 20 May 1999.
- 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.
 Motion made and question proposed - That the debate be adjourned for two weeks (*Dr Napthine*).
 Amendment proposed - That the word "two" be omitted with the view of inserting in place thereof the word "six" (*Mr Thwaites*) - and, after debate -
 Question - That the word proposed to be omitted stand part of the question - put.
 The House divided.

AYES, 49

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

NOES, 27

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	
Mr Baker	Ms Davies	Mr Loney	
Mr Batchelor	Ms Delahunty	Mrs Maddigan	
Mr Bracks	Ms Gillett	Mr Mildenhall	
Mr Brumby	Mr Haermeyer	Mr Pandazopoulos	Tellers
Mr Cameron	Mr Hamilton	Mr Seitz	Mr Langdon
Mrs Campbell	Mr Hulls	Mr Thwaites	Mr Lim
Mr Carli	Ms Kosky	Mrs Wilson	Mr Robinson

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 20 May 1999.

- 13 **COMMONWEALTH PLACES (MIRROR TAXES ADMINISTRATION) 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 Mildenhall*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 20 May 1999.

- 14 **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 Mildenhall*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 20 May 1999.

- 15 **ELECTRICITY INDUSTRY 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 (*Mr Loney*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 20 May 1999.

- 16 **GAS INDUSTRY 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 (*Mr Loney*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 20 May 1999.

- 17 **INTERACTIVE GAMING (PLAYER PROTECTION) 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, 20 May 1999.

- 18 **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, 20 May 1999.

- 19 **CRIMES (CRIMINAL TRIALS) 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, 20 May 1999.
- 20 **ESTATE AGENTS (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, 20 May 1999.
- 21 **FREEDOM OF INFORMATION (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 "weeks" be omitted with the view of inserting in place thereof the word "months" (*Mr Hulls*) - and, after debate -
 Question - That the word proposed to be omitted stand part of the question - put.
 The House divided.

AYES, 47

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

NOES, 24

Mr Andrianopoulos	Mr Carli	Ms Kosky	
Mr Baker	Mr Cunningham	Mr Leighton	
Mr Batchelor	Ms Davies	Mr Pandazopoulos	
Mr Bracks	Ms Delahunty	Mr Savage	<i>Tellers</i>
Mr Brumby	Ms Gillett	Mr Seitz	Mr Langdon
Mr Cameron	Mr Haermeyer	Mr Thwaites	Mr Lim
Mrs Campbell	Mr Hulls	Mrs Wilson	Mr Robinson

And so it resolved in the affirmative.

Ordered - That the debate be adjourned until Thursday, 20 May 1999.

- 22 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr McGrath, Wimmera*) - put and agreed to.
- 23 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 7.27 p.m., adjourned until Tuesday, 11 May 1999.

R. W. PURDEY
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, 11 May 1999

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **APPOINTMENT OF OFFICER OF PARLIAMENT** - Mr Speaker informed the House that pursuant to the provisions of the Parliamentary Officers Act 1975 he had appointed Mr Geoffrey Herbert Westcott, the Serjeant-at-Arms, to be Assistant Clerk and Clerk of Committees following the appointment of Mr Marcus Leonard Bromley as Deputy Clerk.
- 3 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 4 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Catchment Management Authorities** - Seeking that the Government reverses its decision to allow the Catchment Management Authorities to levy taxes from the people of Victoria, bearing 499 signatures (*by Mr Cameron*)
 - Home Loan Schemes** - Seeking that the Government sponsored Home Loan Schemes under the lending instrument called Capital Indexed Loans sold since 1984/85 under the sub headings - Capil, Deferred Interest Scheme (DIS), Indexed Repayment Loan (IRL), Home Opportunity Loan Scheme (HOLS), and Shared Home Opportunity Scheme (SHOS) - (a) be recalculated; (b) have payment and interest set at affordable levels; and (c) be amended in order to assist the low income bracket Victorians the loans were meant to assist, bearing 27 signatures (*by Mrs Wilson*)
 - 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 83 signatures (*by Mr Haermeyer*)
 - School Bus Services** - Seeking that the Government provides appropriate space on buses, whether contract services or regular public bus services, so that children of non-Government and Government schools may be able to get to school safely and on time with no risk that children will be left on the side of the road, bearing 132 signatures (*by Mr Haermeyer*)
 - McDonald's Franchise in Diamond Creek** - Seeking that planning approval not be given to a McDonald's franchise in Chute Street, Diamond Creek if it is going to cause traffic chaos and pose a danger to the local primary school children, bearing 81 signatures (*by Mr Haermeyer*)
 - Drysdale Police Station** - Seeking that the Government reverses its decision to force the closure of the Drysdale Police Station, bearing 806 signatures (*by Mr Haermeyer*)
 - Mount Evelyn Police Station** - Seeking that the Government reverses its decision to close the Mount Evelyn Police Station and increases active police presence in the area, bearing 2,914 signatures (*by Mr Haermeyer*).

Severally ordered to lie on the Table.

- 5 **PETITION – PUBLIC EDUCATION SYSTEM** - Motion made and question - That the petition presented by the Member for Yan Yean relating to government education resources be taken into consideration tomorrow (*Mr Haermeyer*) - put and agreed to.
- 6 **PETITION – SCHOOL BUS SERVICES** - Motion made and question - That the petition presented by the Member for Yan Yean relating to appropriate space on buses for school children be taken into consideration tomorrow (*Mr Haermeyer*) - put and agreed to.
- 7 **PETITION – McDONALD’S FRANCHISE IN DIAMOND CREEK** - Motion made and question - That the petition presented by the Member for Yan Yean relating to planning approval not to be given to a McDonald’s franchise in Diamond Creek be taken into consideration tomorrow (*Mr Haermeyer*) - put and agreed to.
- 8 **PETITION – DRYSDALE POLICE STATION** - Motion made and question - That the petition presented by the Member for Yan Yean relating to the closure of the Drysdale Police Station be taken into consideration tomorrow (*Mr Haermeyer*) - put and agreed to.
- 9 **PETITION – MOUNT EVELYN POLICE STATION** - Motion made and question - That the petition presented by the Member for Yan Yean relating to the closure of the Mount Evelyn Police Station be taken into consideration tomorrow (*Mr Haermeyer*) - put and agreed to.
- 10 **PAPERS -**

REVIEW OF SUICIDES AND SELF HARM IN VICTORIAN PRISONS – Motion made, by leave, and question – That there be presented to this House a copy of the Report of the Review of Suicides and Self Harm in Victorian Prisons, November 1998, excluding pages 36 to 81 (*Mr McGrath, Wimmera*) – put and agreed to.

The said Report was presented by Mr McGrath (*Wimmera*) and 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, Orders granting, under section 17D, leases by –

Melbourne City Council (Royal Park Reserve)
Parks Victoria (Albert Park Reserve)

Financial Management Act 1994 – Report from the Minister for Conservation and Land Management that she had received the 1997-98 Financial Statements of the –

Barwon Regional Waste Management Group
Calder Regional Waste Management Group
Central Murray Regional Waste Management Group
Gippsland Regional Waste Management Group
Goulburn Valley Regional Waste Management Group
North East Victorian Regional Waste Management Group
South Western Regional Waste Management Group
Western Regional Waste Management Group

Planning and Environment Act 1987 –

Notices of approval of the following new Planning Schemes:

Moonee Valley Planning Scheme
Mornington Peninsula Planning Scheme
Murrindindi Planning Scheme

Notices of approval of amendments to the following Planning Schemes:

Cranbourne Planning Scheme – No. L233
Hume Planning Scheme – No. L62
Kingston Planning Scheme – No. L49
Melbourne Planning Scheme – No. C1
Melton Planning Scheme – No. L101
Moreland Planning Scheme – No. L63
Stonnington Planning Scheme – No. L77
Surf Coast Planning Scheme – No. L54

Statutory Rules under the following Acts –

Corporations (Victoria) Act 1990 – S.R. No. 51
Electricity Safety Act 1998 – S.R. Nos. 46, 47, 48, 49, 50
Health Act 1958 – S.R. No. 44
Supreme Court Act 1986 – S.R. No. 51
Trans-Tasman Mutual Recognition (Victoria) Act 1998 – S.R. No. 45
Valuation of Land Act 1960 – S.R. No. 52

Subordinate Legislation Act 1994 –

Minister's exception certificate in relation to Statutory Rule No. 51
Ministers' exemption certificates in relation to Statutory Rule Nos. 44, 45, 52.

- 11 **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:

Coroners (Amendment) Bill
Government Superannuation Bill
Legal Practice (Practising Certificates) Bill
Magistrates' Court (Amendment) Bill
Office of the Regulator-General (Amendment) Bill
Public Sector Reform (Further Amendments) Bill
Superannuation Acts (Further Amendment) Bill
Year 2000 Information Disclosure 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:

Commonwealth Places (Mirror Taxes Administration) Bill
Crimes (Criminal Trials) Bill
Electricity Industry Acts (Further Amendment) Bill
Estate Agents (Amendment) Bill
Freedom of Information (Amendment) Bill
Gas Industry Acts (Further Amendment) Bill
Interactive Gaming (Player Protection) Bill
Rail Corporations and Transport Acts (Amendment) Bill
State Taxation Acts (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 6.30 p.m. on Friday, 14 May 1999:

Appropriation (1999/2000) Bill
 Appropriation (Parliament 1999/2000) Bill
 New Tax System Price Exploitation Code (Victoria) Bill
 Police Regulation and Firearms (Amendment) Bill
 Financial Sector Reform (Victoria) Bill
 Dental Practice Bill
 Guardianship and Administration (Amendment) Bill
 Land (Reservations and Other Matters) Bill

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

The House divided.

AYES, 56

Mr Andrighetto	Mr John	Dr Napthine	Mr Steggall
Mr Ashley	Mr Lean	Mr Paterson	Mr Stockdale
Ms Burke	Mr Leigh	Mr Perrin	Mrs Tehan
Mr Clark	Mr Lupton	Mr Perton	Mr Thompson
Mr Coleman	Mr McArthur	Mrs Peulich	Mr Traynor
Mr Cooper	Ms McCall	Mr Phillips	Mr Treasure
Ms Davies	Mrs McGill	Mr Plowman	Mrs Wade
Dr Dean	Mr McGrath	(<i>Benambra</i>)	Mr Wells
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>)	Mr Savage	<i>Tellers</i>
Mrs Henderson	Mr McNamara	Mrs Shardey	Mr Dixon
Mr Honeywood	Mr Maclellan	Mr Smith	Mr Kilgour
Mr Jasper	(<i>Pakenham</i>)	Mr Spry	Mr Smith
Mr Jenkins	Mr Maughan		(<i>Glen Waverley</i>)

NOES, 27

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

And so it was resolved in the affirmative.

- 14 **APPROPRIATION (1999/2000) 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 Elliott*) – put and agreed to.

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

- 15 **MARINE (AMENDMENT) BILL** - Mr Acting Speaker announced the receipt of a Message from the Council transmitting a Bill "*to amend the Marine Act 1988 and for other purposes*" and desiring the concurrence of the Assembly therein.
On the motion of Mr Cooper, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos 2 to 4 inclusive, be postponed until later this day.
- 17 **FINANCIAL SECTOR REFORM (VICTORIA) 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 Mildenhall*) - put and agreed to.
Ordered - That the debate be adjourned until later this day.
- 18 **NEW TAX SYSTEM PRICE EXPLOITATION CODE (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 Smith, Glen Waverley*) - put and agreed to.
Ordered - That the debate be adjourned until later this day.
- 19 **FINANCIAL SECTOR REFORM (VICTORIA) 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.
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 House has considered a report from the Economic Development Committee relating to the issues of reduced service provision and job losses resulting from the State and Commonwealth financial sector reform legislation" (*Mr Mildenhall*).
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.
Debate continued on question - That this Bill be now read a second time - *and on the amendment*.
Motion made and question - That the debate be now adjourned (*Mr Langdon*) - put and agreed to.
Ordered - That the debate be adjourned until tomorrow.
- 20 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Water Acts (Amendment) Bill without amendment.

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

And the House having continued to sit after 12 midnight -

WEDNESDAY, 12 MAY 1999

Question - put and agreed to.

And the House, at 12.19 a.m., adjourned until later this day.

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 56 – Wednesday, 12 May 1999

1 Mr Speaker took the Chair and read the Prayer.

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

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 117 signatures (*by Mr Pandazopoulos*)

Blackburn High School Council - Seeking that the Ministry of Education rejects Blackburn High School Council's application to become a self-governing school and therefore allows for appropriate consultation with the community, bearing 276 signatures (*by Mr Robinson*).

Severally ordered to lie on the Table.

3 **PETITION - BLACKBURN HIGH SCHOOL COUNCIL** - Motion made and question - That the petition presented by the Member for Mitcham relating to the application by Blackburn High School to become a self-governing school be taken into consideration tomorrow (*Mr Robinson*) - 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:

Police Regulation Act 1958 – Final Report of the Ombudsman on Allegations Raised Concerning the Activities of the Operations Intelligence Unit and Other Related Issues, May 1999 – Ordered to be printed.

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

Sentencing (Amendment) Bill
Surveillance Devices Bill.

- 6 **ADJOURNMENT MOTION - PRINCES HIGHWAY UPGRADE** - Mr Bracks proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

"The inability of the Victorian Government to secure specific Federal funding to match the State contribution for the upgrade of the Princes Highway between Melbourne and Geelong in the 1999/2000 Federal Budget".

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, 27

Mr Andrianopoulos	Mr Dollis	Mr Lim	
Mr Baker	Ms Garbutt	Mr Loney	
Mr Batchelor	Ms Gillett	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Mr Hulls	Mr Savage	Mr Cameron
Ms Davies	Ms Kosky	Mr Seitz	Mr Langdon
Ms Delahunty	Mr Leighton	Mrs Wilson	Mr Robinson

NOES, 49

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

And so it passed in the negative.

- 7 **REDUCTION IN PUBLIC SECTOR DEBT** - Motion made and question proposed - That this House commends the Government for the massive reduction in public sector debt that its sound financial practices have brought about (*Mr Clark*).

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

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

- 9 **LONGFORD ROYAL COMMISSION (REPORT) BILL** - Mr Kennett, after debate, obtained leave with Mr Gude, to bring in a Bill "to make provision for the publication of the report of the Longford Royal Commission and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 **APPROPRIATION (1999/2000) 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 Carli*) - 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:
 Education Acts (Amendment) Bill
 Fair Trading (Inspectors Powers and Other Amendments) Bill
 Fair Trading Bill.
- 12 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos 2 to 8 inclusive, be postponed until later this day.
- 13 **MARINE (AMENDMENT) 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 (*Ms Garbutt*) - put and agreed to.
 Ordered - That the debate be adjourned until Wednesday, 26 May 1999.
- 14 **DENTAL PRACTICE 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 continued 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, 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.
- 15 **GUARDIANSHIP AND ADMINISTRATION (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 tomorrow.
- 16 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mrs Wade*) - put and agreed to.

- 17 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 11.54 p.m., adjourned until tomorrow.

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 57 – Thursday, 13 May 1999

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PAPERS** -
FEDERAL–STATE RELATIONS COMMITTEE - Mr John, Chairman, brought up a Report from the Federal–State Relations Committee on Federalism and The Role of the States: Comparisons and Recommendations, 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 an Act of Parliament, were laid upon the Table by the Clerk:
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:
Melbourne City Link Fifth Amending Deed
Exhibition Street Extension Second Amending Deed
City Link and Extension Projects Integration and Facilitation Agreement First Amending Deed.
- 3 **LONGFORD ROYAL COMMISSION (REPORT) 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 Loney*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 27 May 1999.
- 4 **APPROPRIATION (1999/2000) 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.*
- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 6 **APPROPRIATION (1999/2000) BILL** - Debate continued on question - That this Bill be now read a second time; debate resumed.
Motion made and question - That the debate be now adjourned (*Ms Davies*) - put and agreed to.
Ordered - That the debate be adjourned until later this day.

7 **POLICE REGULATION AND FIREARMS (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.

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 provisions relating to the Police Regulation Act 1958 be withdrawn and subjected to extensive public consultation and debate" (*Mr Haermeyer*) – 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 Jasper	Mr Perrin	Mr Steggall
Mr Ashley	Mr Jenkins	Mr Perton	Mr Thompson
Ms Burke	Mr John	Mrs Peulich	Mr Traynor
Mr Clark	Mr Lean	Mr Phillips	Mr Treasure
Mr Coleman	Mr Leigh	Mr Plowman	Mrs Wade
Mr Cooper	Mr Lupton	(<i>Benambra</i>)	Mr Wells
Dr Dean	Mr McArthur	Mr Reynolds	
Mr Doyle	Ms McCall	Mr Richardson	
Mr Elder	Mrs McGill	Mr Rowe	
Mrs Elliott	Mr McGrath	Mr Ryan	<i>Tellers</i>
Mr Finn	(<i>Wimmera</i>)	Mrs Shardey	Mr Dixon
Mr Gude	Mr Maughan	Mr Smith	Mr Kilgour
Mrs Henderson	Dr Napthine	(<i>Polwarth</i>)	Mr Smith
Mr Honeywood	Mr Paterson	Mr Spry	(<i>Glen Waverley</i>)

NOES, 28

Mr Andrianopoulos	Mr Dollis	Mr Lim	Mr Seitz
Mr Batchelor	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Ms Gillett	Mr McLellan	
Mr Brumby	Mr Haermeyer	(<i>Frankston East</i>)	
Mrs Campbell	Mr Hamilton	Mrs Maddigan	<i>Tellers</i>
Mr Carli	Mr Hulls	Mr Mildenhall	Mr Cameron
Ms Davies	Ms Kosky	Mr Pandazopoulos	Mr Langdon
Ms Delahunty	Mr Leighton	Mr Savage	Mr Robinson

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 Police Regulation and Firearms (Amendment) Bill into two Bills as follows:

- (a) A Police Regulation (Amendment) Bill, being the Police Regulation and Firearms (Amendment) Bill with the following changes:
 - (i) Long title as follows:

“A Bill to amend the **Police Regulation Act 1958** and for other purposes.”;
 - (ii) Short Title as follows:

- “Police Regulation (Amendment) Act 1999”;**
- (iii) Part 1 and Clauses 1 and 2 as follows:
“PART 1—PRELIMINARY
1. Purpose
 The purpose of this Act is to amend the **Police Regulation Act 1958**.
2. Commencement
 (1) This Part comes into operation on the day on which this Act receives the Royal Assent.
 (2) Subject to sub-section (3), the remaining provisions of this Act 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 1 June 2000, it comes into operation on that day.”;
- (iv) Part 2 of the Bill;
- (v) Part 3 of the Bill omitted; and
- (b) A Firearms (Further Amendment) Bill being the Police Regulation and Firearms (Amendment) Bill with the following changes:
- (i) A Long title as follows:
 “A Bill to amend the **Firearms Act 1996** and for other purposes.”;
- (ii) A Short title as follows:
“Firearms (Further Amendment) Act 1999”;
- (iii) Part 1 and Clauses 1 and 2 as follows:
“PART 1—PRELIMINARY
1. Purpose
 The purpose of this Act is to amend the **Firearms Act 1996**.
2. Commencement
 (1) This Part comes into operation on the day on which this Act receives the Royal Assent.
 (2) Subject to sub-section (3), the remaining provisions of this Act 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 1 June 2000, it comes into operation on that day.”;
- (iv) Part 2 of the Bill omitted;
- (v) Part Heading 3 renumbered 2 and Clauses 30 to 32 renumbered 3 to 5 (*Mr Haermeyer*) – and, after debate –

Question – That the motion be agreed to – put.

The House divided.

AYES, 28

Mr Andrianopoulos	Mr Dollis	Mr Lim	Mr Seitz
Mr Batchelor	Ms Garbutt	Mr Loney	Mrs Wilson
Mr Bracks	Ms Gillett	Mr McLellan	
Mr Brumby	Mr Haermeyer	(Frankston East)	
Mrs Campbell	Mr Hamilton	Mrs Maddigan	Tellers
Mr Carli	Mr Hulls	Mr Mildenhall	Mr Cameron
Ms Davies	Ms Kosky	Mr Pandazopoulos	Mr Langdon
Ms Delahunty	Mr Leighton	Mr Savage	Mr Robinson

NOES, 49

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

And so it passed in the negative.

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, 49

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

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Lim	
Mr Batchelor	Ms Garbutt	Mr Loney	
Mr Bracks	Ms Gillett	Mrs Maddigan	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	
Mrs Campbell	Mr Hamilton	Mr Pandazopoulos	Tellers
Mr Carli	Mr Hulls	Mr Savage	Mr Cameron
Ms Davies	Ms Kosky	Mr Seitz	Mr Langdon
Ms Delahunty	Mr Leighton	Mrs Wilson	Mr Robinson

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.

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

- Rural Finance (Amendment) Bill
- State Trustees (State Owned Company) (Amendment) Bill
- Local Government (Melbourne City Council Rates) Bill
- The Constitution Act Amendment (Amendment) Bill.

9 **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 the Government has reinstated the Melbourne City Council as the responsible planning authority for the University Square Land, as well as the opportunity for public appeal in relation to the relevant planning scheme in so far as it affects the Land, and provided opportunity to address the ongoing issues of demolitions, height limits, size, traffic problems, tree removal, overshadowing and appropriate urban context arising from the application of the scheme to the Land" (*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 (*Dr Naphthine*) - put and agreed to.

Debate continued on question - That this Bill be now read a second time – *and on the amendment.*

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

The House divided.

AYES, 49

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

NOES, 26

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

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 Jenkins	Mr Perton	Mr Thompson
Mr Ashley	Mr John	Mrs Peulich	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 Doyle	Mrs McGill	Mr Rowe	
Mr Elder	Mr McGrath	Mr Ryan	
Mrs Elliott	(Wimmera)	Mr Savage	
Mr Finn	Mr McLellan	Mrs Shardey	Tellers
Mr Gude	(Frankston East)	Mr Smith	Mr Dixon
Mrs Henderson	Dr Naphthine	(Polwarth)	Mr Kilgour
Mr Honeywood	Mr Paterson	Mr Spry	Mr Smith
Mr Jasper	Mr Perrin	Mr Steggall	(Glen Waverley)

NOES, 26

Mr Andrianopoulos	Ms Delahunty	Ms Kosky	Mr Thwaites
Mr Batchelor	Mr Dollis	Mr Leighton	Mrs Wilson
Mr Bracks	Ms Garbutt	Mr Lim	
Mr Brumby	Ms Gillett	Mr Loney	Tellers
Mrs Campbell	Mr Haermeyer	Mrs Maddigan	Mr Cameron
Mr Carli	Mr Hamilton	Mr Mildenhall	Mr Langdon
Ms Davies	Mr Hulls	Mr Seitz	Mr Robinson

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 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Government Business, Order of the Day, No. 5 be postponed until later this day.

11 **NEW TAX SYSTEM PRICE EXPLOITATION CODE (VICTORIA) 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 **FINANCIAL SECTOR REFORM (VICTORIA) 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 House has considered a report from the Economic Development Committee relating to the issues of reduced service provision and job losses resulting from the State and Commonwealth financial sector reform legislation"; debate resumed.

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

The House divided.

AYES, 49

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

NOES, 23

Mr Andrianopoulos	Mr Dollis	Mr Leighton	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Lim	Mrs Wilson
Mr Brumby	Mr Haermeyer	Mr Loney	Tellers
Mrs Campbell	Mr Hamilton	Mrs Maddigan	Mr Cameron
Mr Carli	Mr Hulls	Mr Mildenhall	Mr Langdon
Ms Delahunty	Ms Kosky	Mr Seitz	Mr Robinson

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.

- 13 **FINANCIAL SECTOR REFORM (VICTORIA) BILL – CLERK’S CORRECTION** - Mr Acting Speaker announced that Mr Speaker had received a report from the Clerk advising that he had made the following correction in this Bill:

In clause 2(2) on page 2, he had added a closed bracket after the word “Provisions” in the title of the Commonwealth Act, “Financial Sector Reform (Amendments and Transitional Provisions) Act”.

- 14 **GUARDIANSHIP AND ADMINISTRATION (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.

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

And the House having continued to sit after 12 midnight -

FRIDAY, 14 MAY 1999

Question - put and agreed to.

And the House, at 12.02 a.m., adjourned until later this day.

R. W. PURDEY

Clerk of the Legislative Assembly

S. J. PLOWMAN

Speaker

No. 58 - Friday, 14 May 1999

1 Mr Speaker took the Chair and read the Prayer.

2 **GAS INDUSTRY ACTS (FURTHER AMENDMENT) BILL** - Pursuant to section 85 of the *Constitution Act 1975*, Mr Stockdale 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, after clause 34, into the Gas Industry Acts (Further Amendment) Bill.

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

Austin and Repatriation Medical Centre - Funding - Seeking that the Government acts on the request for more funding for the Austin and Repatriation Medical Centre and reconsiders its decision to privatise it, bearing 3,596 signatures (*by Ms Garbutt*)

Austin and Repatriation Medical Centre - Community Usage - Seeking that the Government - (a) reconsiders its decision to privatise the Austin and Repatriation Medical Centre; (b) protects the Red Cross Centre, bowling green, and memorial gardens from any future works; and (c) ensures that the original Austin Hospital site is retained for community usage and not sold, bearing 38 signatures (*by Mr Langdon*)

Austin and Repatriation Medical Centre - Overdevelopment - Seeking that the Government - (a) reconsiders its decision to privatise the Austin and Repatriation Medical Centre; (b) protects the Red Cross Centre, bowling green, and memorial gardens from any future works; and (c) introduces measures to protect the local area from any ill effects of the massive overdevelopment of the Repatriation site, bearing 161 signatures (*by Mr Langdon*)

Austin and Repatriation Medical Centre - Access - Seeking that the Government reconsiders its decision to privatise the Austin and Repatriation Medical Centre and acts to ensure that access to the hospital continues to be on the basis of health and not wealth, bearing 1,422 and 54 signatures (*by Mr Langdon and Mr Andrianopoulos, respectively*).

Severally ordered to lie on the Table.

- 4 **PETITION – AUSTIN AND REPATRIATION MEDICAL CENTRE - FUNDING** - Motion made and question - That the petition presented by the Member for Bundoora relating to more funding for the Austin and Repatriation Medical Centre be taken into consideration tomorrow (*Ms Garbutt*) - put and agreed to.
- 5 **PETITION – AUSTIN AND REPATRIATION MEDICAL CENTRE - COMMUNITY USAGE** - Motion made and question - That the petition presented by the Member for Ivanhoe relating to the decision to privatise the Austin and Repatriation Medical Centre and ensuring that the original Austin Hospital site is retained for community usage be taken into consideration tomorrow (*Mr Langdon*) - put and agreed to.
- 6 **PETITION – AUSTIN AND REPATRIATION MEDICAL CENTRE - OVERDEVELOPMENT** - Motion made and question - That the petition presented by the Member for Ivanhoe relating to the decision to privatise the Austin and Repatriation Medical Centre and introducing measures to protect the Repatriation site from overdevelopment be taken into consideration tomorrow (*Mr Langdon*) - put and agreed to.
- 7 **PETITION – AUSTIN AND REPATRIATION MEDICAL CENTRE - ACCESS** - Motion made and question - That the petition presented by the Member for Ivanhoe relating to the decision to privatise the Austin and Repatriation Medical Centre and ensuring that access to the hospital continues to be on the basis of health and not wealth be taken into consideration tomorrow (*Mr Langdon*) - put and agreed to.
- 8 **PAPERS -**
PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE - Mr Wells, brought up a Report from the Public Accounts and Estimates Committee on Annual Reporting in the Victorian Public Sector, together with Appendices and Minutes of Evidence.
 Ordered to lie on the Table and Report and Appendices to be printed.
PAPERS PURSUANT TO STATUTE - The following Papers, pursuant to the directions of two Acts of Parliament, were laid upon the Table by the Clerk:
 Environment Protection Act 1970 – Order declaring Industrial Waste Management Policy (Waste Acid Sulfate Soils) (*Government Gazette No. S57, 28 April 1999*)
 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 1998-99 Budget Estimates.
- 9 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 25 May 1999 (*Mr McGrath, Wimmera*) - put and agreed to.
- 10 **JURIES BILL** – Mrs Wade obtained leave, with Mr Stockdale, to bring in a Bill "*to re-enact with amendments the law relating to juries, to repeal the Juries 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.

-
- 11 **APPROPRIATION (PARLIAMENT 1999/2000) 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 **APPROPRIATION (1999/2000) 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.*
- 13 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 14 **APPROPRIATION (1999/2000) BILL** - Debate continued 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 the House on Tuesday, 11 May 1999 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.
- 15 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Maclellan, Pakenham*) - put and agreed to.
- 16 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 7.12 p.m., adjourned until Tuesday, 25 May 1999.

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 59, 60, 61 and 62

No. 59 – Tuesday, 25 May 1999

- 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:

Public Dentistry in Wangaratta - Seeking that the Government provide sufficient funding to ensure that those on the waiting list for public dentistry in Wangaratta can be treated within a reasonable time, bearing 433 signatures (*by Mr Thwaites*)

Austin and Repatriation Medical Centre - Funding - Seeking that the Government acts on the request for more funding for the Austin and Repatriation Medical Centre and reconsiders its decision to privatise it, bearing 1,379 signatures (*by Ms Garbutt*)

Home Loan Schemes - Seeking that the Government sponsored Home Loan Schemes under the lending instrument called Capital Indexed Loans sold since 1984/85 under the sub headings - Capil, Deferred Interest Scheme (DIS), Indexed Repayment Loan (IRL), Home Opportunity Loan Scheme (HOLS), and Shared Home Opportunity Scheme (SHOS) - (a) be recalculated; (b) have payment and interest set at affordable levels; and (c) be amended in order to assist the low income bracket Victorians the loans were meant to assist, bearing 60 signatures (*by Mrs Wilson*)

Preston and Northcote Community Hospital - Seeking that the Government makes no decision on the Preston and Northcote Community Hospital site without consultation and agreement of the community, bearing 6,476 signatures (*by Mr Leighton*).

Severally ordered to lie on the Table.

- 4 **PETITION - PRESTON AND NORTHCOTE COMMUNITY HOSPITAL** - Motion made and question - That the petition presented by the Member for Preston relating to the Preston and Northcote Community Hospital site be taken into consideration tomorrow (*Mr Leighton*) - put and agreed to.
- 5 **PAPERS** -
FEDERAL-STATE RELATIONS COMMITTEE - Mr John, Chairman, brought up a Report from the Federal-State Relations Committee upon the Register of Specific Purpose Payments received by Victoria, together with Appendices.

Ordered to lie on the Table and to be printed.

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 1999 on the -

- Appropriation (1999/2000) Bill
- Appropriation (Parliament 1999/2000) Bill
- Australia Acts (Request) Bill
- Commonwealth Places (Mirror Taxes Administration) Bill
- Crimes (Criminal Trials) Bill
- Electricity Industry Acts (Further Amendment) Bill
- Estate Agents (Amendment) Bill
- Fair Trading Bill
- Financial Sector Reform (Victoria) Bill
- Food (Amendment) Bill
- Freedom of Information (Amendment) Bill
- Gas Industry Acts (Further Amendment) Bill
- Interactive Gaming (Player Protection) Bill
- Longford Royal Commission (Report) Bill
- New Tax System Price Exploitation Code (Victoria) Bill
- Police Regulation and Firearms (Amendment) Bill
- Prostitution Control (Amendment) Bill
- Rail Corporations and Transport Acts (Amendment) Bill
- State Taxation Acts (Amendment) Bill
- Water Acts (Amendment) Bill
- Year 2000 Information Disclosure Bill

together with an Appendix.

Sixth Annual Report of the Committee, together with Appendices.

Severally 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 being the Eleventh Report on Subordinate Legislation concerning Statutory Rules Series 1998, 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:

Financial Management Act 1994 – Report from the Minister for Health that he had received the 1997-98 Annual Report of the Osteopaths Registration Board of Victoria

Melbourne City Link Act 1995 – Orders pursuant to section 8(4) increasing the Project Area (two orders)

Planning and Environment Act 1987 –

Notice of approval of the new Golden Plains Planning Scheme

Notices of approval of amendments to the following Planning Schemes:

Bayside Planning Scheme – Nos. L11, L23

Brimbank Planning Scheme – Nos. L67, L71

Darebin Planning Scheme – No. L69

Doncaster and Templestowe Planning Scheme – Nos. L132, L140

Frankston Planning Scheme – No. L92

Greater Geelong Planning Scheme – No. R239

Hume Planning Scheme – No. L60

Knox Planning Scheme – No. L174
Maroondah Planning Scheme – Nos. L25, L31
Mitchell Planning Scheme – No. C1
Stonnington Planning Scheme – No. L76
Whitehorse Planning Scheme – No. L48

Prevention of Cruelty to Animals Act 1986 – Code of Practice for the welfare of horses competing at bush race meetings

Statutory Rules under the following Acts:

Road Safety Act 1986 – S.R. No. 54
Transport Act 1983 – S.R. No. 53

Subordinate Legislation Act 1994 – Minister's exemption certificates in relation to Statutory Rule Nos. 53, 54.

6 MESSAGES FROM THE LIEUTENANT-GOVERNOR - ASSENT TO BILLS - Informing the Assembly that she had given the Royal Assent to the following Bills, presented to her by the Clerk of the Parliaments:

On 18 May 1999

Education Acts (Amendment) Bill
Fair Trading Bill
Fair Trading (Inspectors Powers and Other Amendments) Bill
Rural Finance (Amendment) Bill
Sentencing (Amendment) Bill
State Trustees (State Owned Company) (Amendment) Bill
Surveillance Devices Bill
Water Acts (Amendment) Bill.

On 25 May 1999

Local Government (Melbourne City Council Rates) Bill
The Constitution Act Amendment (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 6.30 p.m. on Friday, 28 May 1999:

Ambulance Services (Further Amendment) Bill
State Taxation Acts (Amendment) Bill
Prostitution Control (Amendment) Bill
Crimes (Criminal Trials) Bill
Freedom of Information (Amendment) Bill
Interactive Gaming (Player Protection) Bill
Food (Amendment) Bill
Australia Acts (Request) Bill
Rail Corporations and Transport Acts (Amendment) Bill
Electricity Industry Acts (Further Amendment) Bill
Gas Industry Acts (Further Amendment) Bill
Commonwealth Places (Mirror Taxes Administration) Bill
Marine (Amendment) Bill
Longford Royal Commission (Report) Bill

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

The House divided.

AYES, 52

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

NOES, 30

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

And so it was resolved in the affirmative.

- 8 **GAS INDUSTRY ACTS (FURTHER AMENDMENT) BILL** – Pursuant to section 85 of the *Constitution Act 1975*, Mr Stockdale made an amended statement of the reasons for altering or varying that section by the insertion of a new clause after clause 34 into the Gas Industry Acts (Further Amendment) Bill (which amends section 117A of the *Gas Safety Act 1997* so that it applies to section 109 of that Act as proposed to be amended by this Bill).

- 9 **AMBULANCE SERVICES (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 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 a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.

- 10 **STATE TAXATION 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.

- 11 **PROSTITUTION CONTROL (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 (*Mrs Wade*) - 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.

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

Stamps (Amendment) Bill
Shrine of Remembrance (Amendment) Bill
Dental Practice Bill
Mental Health (Amendment) Bill.

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

- 14 **ADJOURNMENT** - Motion made and question proposed - That the House do now adjourn (*Mrs Wade*) - and, after debate -

And the House having continued to sit after 12 midnight -

WEDNESDAY, 26 MAY 1999

Question - put and agreed to.

And the House, at 12.03 a.m., adjourned until later this day.

R. W. PURDEY

Clerk of the Legislative Assembly

S. J. PLOWMAN

Speaker

No. 60 – Wednesday, 26 May 1999

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

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

Austin and Repatriation Medical Centre - Community Usage - Seeking that the Government – (a) reconsiders its decision to privatise the Austin and Repatriation Medical Centre; (b) protects the Red Cross Centre, bowling green, and memorial gardens from any future works; and (c) ensures that the original Austin Hospital site is retained for community usage and not sold, bearing 16 signatures (*by Mr Langdon*)

Austin and Repatriation Medical Centre - Overdevelopment - Seeking that the Government – (a) reconsiders its decision to privatise the Austin and Repatriation

Medical Centre; (b) protects the Red Cross Centre, bowling green, and memorial gardens from any future works; and (c) introduces measures to protect the local area from any ill effects of the massive overdevelopment of the Repatriation site, bearing 10 signatures *(by Mr Langdon)*

Austin and Repatriation Medical Centre - Access - Seeking that the Government reconsiders its decision to privatise the Austin and Repatriation Medical Centre and acts to ensure that access to the hospital continues to be on the basis of health and not wealth, bearing 205 signatures *(by Mr Langdon)*

Planning System/Good Design Guide - Seeking that the Government thoroughly reviews the current planning system and the Good Design Guide as it cannot be fixed by the current cosmetic changes, bearing 100 signatures *(by Mr Langdon)*

Increase of Police Numbers - Seeking that the Government honours its 1996 election campaign promise to increase the number of police in Victoria to 11,000 as reductions in police numbers have placed at risk community security and safety, bearing 190 signatures *(by Mr Langdon)*

Sound Barriers - Keilor/Melton Highway - Seeking that sound barriers be installed along the Keilor/Melton Highway from the lead up of the roundabout towards Melbourne up to the overpass on the Calder Highway, bearing 38 signatures *(by Mr Seitz)*

Green Wedges in Growth Areas - Seeking that the policy of confining urban development to growth areas, separated from each other by permanent green wedges of open country will be retained as the basis for future development, bearing 325 signatures *(by Mr Leigh)*

Severally ordered to lie on the Table.

3 **PETITION - PLANNING SYSTEM/GOOD DESIGN GUIDE** - Motion made and question - That the petition presented by the Member for Ivanhoe relating to the current planning system and the Good Design Guide be taken into consideration tomorrow *(Mr Langdon)* - put and agreed to.

4 **PETITION - INCREASE OF POLICE NUMBERS** - Motion made and question - That the petition presented by the Member for Ivanhoe relating to the increase of police numbers be taken into consideration tomorrow *(Mr Langdon)* - put and agreed to.

5 **PAPERS -**

LAW REFORM COMMITTEE - Mr Andrighetto, brought up a Report from the Law Reform Committee upon Criminal Liability for Self-Induced Intoxication, together with Appendices and Minutes of Evidence.

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

ECONOMIC DEVELOPMENT COMMITTEE - Mr Batchelor, brought up the Final Report from the Economic Development Committee into the Effects of Government-Funded National Broadcasting on Victoria, together with Appendices, Minority Reports and Minutes of Evidence.

Ordered to lie on the Table and the Report, Appendices and Minority Reports 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:

Auditor-General - Report on Ministerial Portfolios, May 1999 - Ordered to be printed.

- 6 **PUBLIC TRANSPORT SYSTEM** - Motion made and question proposed - That this House condemns the Government for initiating policies for the fragmentation and privatisation of Melbourne's public transport system and its bungling of the introduction of the OneLink automatic ticketing system (*Mr Batchelor*) - 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 **CONSTITUTION (REQUESTS) BILL** - Mr Kennett obtained leave, with Mr Gude, to bring in a Bill "*to request the amendment of the Statute of Westminster 1931 of the Parliament of the United Kingdom and the Commonwealth of Australia Constitution Act of that Parliament in connection with proposed constitutional arrangements to establish the Commonwealth of Australia as a republic*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **DATA PROTECTION BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to establish a data protection regime for the public and private sectors, 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.
- 10 **ELECTRICITY INDUSTRY ACTS (FURTHER AMENDMENT) BILL** - Motion made and question - That upon the Electricity Industry Acts (Further Amendment) Bill being committed it be an instruction to the Committee that they have the power to consider an amendment to Schedule 4 of the *Magistrates' Court Act 1989* (*Mr Stockdale*) - put and agreed to.
- 11 **GAS INDUSTRY ACTS (FURTHER AMENDMENT) BILL** - Motion made and question - That upon the Gas Industry Acts (Further Amendment) Bill being committed it be an instruction to the Committee that they have the power to consider an amendment to Schedule 4 of the *Magistrates' Court Act 1989* (*Mr Stockdale*) - put and agreed to.
- 12 **WATER INDUSTRY (AMENDMENT) BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to provide for the transfer to the State of the property, rights and liabilities of Melbourne Parks and Waterways, to repeal certain provisions of the Water Industry Act 1994 establishing Melbourne Parks and Waterways, to make further amendments to the Water Act 1989, the Water Industry Act 1994 and other Acts, to provide for the repeal of the Wattle Park Land 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.
- 13 **ROYAL PARK LAND BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to make provision in relation to land at Royal Park*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **CHINESE MEDICINE REGISTRATION BILL** - Dr Naphtine obtained leave, with Mr Gude, to bring in a Bill "*to make provision for the registration of and investigations into the professional conduct and fitness to practise of registered practitioners of Chinese medicine and dispensers of Chinese herbs, to regulate Chinese medicine and herbal dispensing services, to regulate the advertising of Chinese medicine and herbal dispensing services, to establish a Chinese Medicine Registration Board of Victoria and a Chinese Medicine Registration Board Fund and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 15 **CRIMES (CRIMINAL TRIALS) 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 John	Mr Paterson	Mr Stockdale
Mr Ashley	Mr Lean	Mr Perrin	Mrs Tehan
Ms Burke	Mr Leigh	Mr Perton	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 Doyle	Mr McGrath	Mr Reynolds	
Mr Elder	(Wimmera)	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	(Frankston East)	Mr Savage	
Mr Gude	Mr McNamara	Mrs Shardey	<i>Tellers</i>
Mrs Henderson	Mr Maclellan	Mr Smith	Mr Dixon
Mr Honeywood	(Pakenham)	(Polwarth)	Mr Kilgour
Mr Jasper	Mr Maughan	Mr Spry	Mr Smith
Mr Jenkins	Dr Napthine	Mr Steggall	(Glen Waverley)

NOES, 28

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mr Thwaites
Mr Baker	Ms Delahunty	Mr Lim	
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 Langdon
Mr Cunningham	Ms Kosky	Mr Seitz	Mr Robinson

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 **INTERACTIVE GAMING (PLAYER PROTECTION) 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 **FOOD (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 proper consultation with local government, small business and the food industry takes place in relation to unnecessary costs and duplication in food safety regulation" (*Mr Thwaites*) - 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 (*Dr Naphthine*) - put and agreed to.

Debate continued on question - That this Bill be now read a second time - *and on the amendment.*

Motion made and question proposed - That the debate be now adjourned (*Mr Steggall*) - and, after debate -

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

The House divided.

AYES, 54

Mr Andrighetto	Mr John	Mr Paterson	Mr Steggall
Mr Ashley	Mr Lean	Mr Perrin	Mr Stockdale
Ms Burke	Mr Leigh	Mr Perton	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
Ms Davies	Mrs McGill	(<i>Benambra</i>)	Mrs Wade
Dr Dean	Mr McGrath	Mr Reynolds	Mr Wells
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	<i>Tellers</i>
Mr Gude	Mr MacLellan	Mrs Shardey	Mr Dixon
Mrs Henderson	(<i>Pakenham</i>)	Mr Smith	Mr Kilgour
Mr Honeywood	Mr Maughan	(<i>Polwarth</i>)	Mr Smith
Mr Jenkins	Dr Naphthine	Mr Spry	(<i>Glen Waverley</i>)

NOES, 25

Mr Andrianopoulos	Ms Delahunty	Mr Leighton	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Lim	
Mr Batchelor	Ms Gillett	Mr Loney	
Mr Bracks	Mr Haermeyer	Mrs Maddigan	<i>Tellers</i>
Mr Brumby	Mr Hamilton	Mr Mildenhall	Mr Cameron
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Mr Langdon
Mr Carli	Ms Kosky	Mr Seitz	Mr Robinson

And so it was resolved in the affirmative.

Question - That the debate be now adjourned - accordingly put.

The House divided.

AYES, 54

Mr Andrighetto	Mr John	Mr Paterson	Mr Steggall
Mr Ashley	Mr Lean	Mr Perrin	Mr Stockdale
Ms Burke	Mr Leigh	Mr Perton	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
Ms Davies	Mrs McGill	(Benambra)	Mrs Wade
Dr Dean	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	<i>Tellers</i>
Mr Gude	Mr Maclellan	Mrs Shardey	Mr Dixon
Mrs Henderson	(Pakenham)	Mr Smith	Mr Kilgour
Mr Honeywood	Mr Maughan	(Polwarth)	Mr Smith
Mr Jenkins	Dr Napthine	Mr Spry	(Glen Waverley)

NOES, 25

Mr Andrianopoulos	Ms Delahunty	Mr Leighton	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Lim	
Mr Batchelor	Ms Gillett	Mr Loney	
Mr Bracks	Mr Haermeyer	Mrs Maddigan	<i>Tellers</i>
Mr Brumby	Mr Hamilton	Mr Mildenhall	Mr Cameron
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Mr Langdon
Mr Carli	Ms Kosky	Mr Seitz	Mr Robinson

And so it was resolved in the affirmative.

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

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

Land (Reservations and other Matters) Bill
Police Regulation and Firearms (Amendment) Bill.

- 19 **AUSTRALIA ACTS (REQUEST) 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 after 12 midnight -

THURSDAY, 27 MAY 1999

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.

- 20 **MARINE (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 there has been adequate consultation with the port sector, especially sea pilots, maritime unions and maritime insurers, and amendments are introduced to guarantee a continuance of very high standards for the provision of sea pilot services" (*Mr Batchelor*) - and, after debate -

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

The House divided.

AYES, 49

Mr Andrighetto	Mr John	Mr Paterson	Mr Steggall
Mr Ashley	Mr Lean	Mr Perrin	Mr Stockdale
Ms Burke	Mr Leigh	Mr Perton	Mr Thompson
Mr Clark	Mr Lupton	Mrs Peulich	Mr Traynor
Mr Coleman	Ms McCall	Mr Phillips	Mr Treasure
Mr Cooper	Mrs McGill	Mr Plowman	Mr Wells
Dr Dean	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	Mr Ryan	<i>Tellers</i>
Mr Gude	Mr Maclellan	Mrs Shardey	Mr Dixon
Mr Honeywood	(<i>Pakenham</i>)	Mr Smith	Mr Kilgour
Mr Jasper	Mr Maughan	(<i>Polwarth</i>)	Mr Smith
Mr Jenkins	Dr Napthine	Mr Spry	(<i>Glen Waverley</i>)

NOES, 25

Mr Andrianopoulos	Ms Delahunty	Mr Leighton	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Lim	
Mr Batchelor	Ms Gillett	Mr Loney	
Mr Brumby	Mr Haermeyer	Mrs Maddigan	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Mr Cameron
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Ms Davies	Ms Kosky	Mr Seitz	Mr Robinson

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

NOES, 25

Mr Andrianopoulos	Ms Delahunty	Mr Leighton	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Lim	
Mr Batchelor	Ms Gillett	Mr Loney	
Mr Brumby	Mr Haermeyer	Mrs Maddigan	<i>Tellers</i>
Mrs Campbell	Mr Hamilton	Mr Mildenhall	Mr Cameron
Mr Carli	Mr Hulls	Mr Savage	Mr Langdon
Ms Davies	Ms Kosky	Mr Seitz	Mr Robinson

And so it was resolved in the affirmative.

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 **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 3.12 a.m., adjourned until later this day.

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

No. 61 – Thursday, 27 May 1999

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
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 2,459 signatures (*by Mr Pandazopoulos*).

Ordered to lie on the Table.

- 3 **PETITION - WAVERLEY PARK** - Motion made and question - That the petition presented by the Member for Dandenong relating to the viability of Waverley Park as an AFL venue be taken into consideration tomorrow (*Mr Pandazopoulos*) - put and agreed to.

4 **PAPERS** -

REPORT OF 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 1999 (*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:

Auditor-General – Special Report No. 60 on Victoria’s prison system: Community protection and prisoner welfare – Ordered to be printed.

Border Groundwaters Agreement Review Committee – Report for the year 1997-98

Members of Parliament (Register of Interests) Act 1978 – Summary of Variations Notified between 12 November 1998 and 26 May 1999 – Ordered to be printed

Victoria Law Foundation – Report for the year 1997-98.

- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until tomorrow at 10.00 a.m. (*Mr Gude*) - put and agreed to.
- 6 **TELEVISIONING AND BROADCASTING OF PROCEEDINGS** - Motion made and question - That until 30 June 2000 inclusive, the resolution authorising the televising and broadcasting of proceedings in the Legislative Assembly agreed to by the House on 18 February 1998 be amended by the omission of paragraphs 1(b)(i) and 1(d)(i) (*Mr Gude*) – put and agreed to.

7 ROYAL PARK LAND 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 (*Ms Garbutt*) - put and agreed to.

Motion made and question proposed - That the debate be adjourned until tomorrow (*Mrs Tehan*).

Amendment proposed - That the words "until tomorrow" be omitted with the view of inserting in place thereof the words "for two weeks" (*Ms Garbutt*) - and, after debate -

Motion made and question - That the question be now put (*Mr Rowe*) - put.

The House divided.

AYES, 47

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

NOES, 29

Mr Andrianopoulos	Ms Delahunty	Mr Lim	Mr Seitz
Mr Baker	Ms Garbutt	Mr Loney	Mr Thwaites
Mr Batchelor	Ms Gillett	Mr McLellan	Mrs Wilson
Mr Bracks	Mr Haermeyer	(<i>Frankston East</i>)	
Mr Brumby	Mr Hamilton	Mrs Maddigan	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Micallef	Mr Cameron
Mr Carli	Ms Kosky	Mr Mildenhall	Mr Langdon
Ms Davies	Mr Leighton	Mr Pandazopoulos	Mr Robinson

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, 48

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

NOES, 29

Mr Andrianopoulos	Ms Delahunty	Mr Lim	Mr Seitz
Mr Baker	Ms Garbutt	Mr Loney	Mr Thwaites
Mr Batchelor	Ms Gillett	Mr McLellan	Mrs Wilson
Mr Bracks	Mr Haermeyer	(Frankston East)	
Mr Brumby	Mr Hamilton	Mrs Maddigan	Tellers
Mrs Campbell	Mr Hulls	Mr Micallef	Mr Cameron
Mr Carli	Ms Kosky	Mr Mildenhall	Mr Langdon
Ms Davies	Mr Leighton	Mr Pandazopoulos	Mr Robinson

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until tomorrow.

- 8 **GOVERNMENT BUSINESS PROGRAM** – Motion made and question - That the Government Business Program agreed to by this House on 25 May 1999 be amended by adding the Order of the Day, Government Business, relating to the Royal Park Land Bill (*Mr Gude*) - after debate – put.

The House divided.

AYES, 52

Mr Andrighetto	Mr John	Mr Perton	Mr Thompson
Mr Ashley	Mr Lean	Mrs Peulich	Mr Traynor
Ms Burke	Mr Leigh	Mr Phillips	Mr Treasure
Mr Clark	Mr Lupton	Mr Plowman	Mrs Wade
Mr Coleman	Mr McArthur	(Benambra)	Mr Wells
Mr Cooper	Ms McCall	Mr Reynolds	
Dr Dean	Mrs McGill	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)	(Polwarth)	Tellers
Mrs Henderson	Mr Maughan	Mr Spry	Mr Dixon
Mr Honeywood	Dr Napthine	Mr Steggall	Mr Kilgour
Mr Jasper	Mr Paterson	Mr Stockdale	Mr Smith
Mr Jenkins	Mr Perrin	Mrs Tehan	(Glen Waverley)

NOES, 28

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

And so it was resolved in the affirmative.

Original motion - put and agreed to.

- 9 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos 2 to 6 inclusive, be postponed until later this day.
- 10 **JURIES 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, 10 June 1999.
- 11 **COMMONWEALTH PLACES (MIRROR TAXES 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 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.*

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

- 13 **FREEDOM OF INFORMATION (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 Perrin*) - put and agreed to.
 Ordered - That the debate be adjourned until later this day.
- 14 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
 Financial Sector Reform (Victoria) Bill
 Guardianship and Administration (Amendment) Bill
 Appropriation (Parliament 1999/2000) Bill.
- 15 **GAS INDUSTRY 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 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.
 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.
 Bill read a second time with a concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
 Ordered - That this Bill be committed later this day.
- 16 **ELECTRICITY INDUSTRY 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.
 Motion made and question - That the debate be now adjourned (*Mr Clark*) - 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 (*Mrs Tehan*) - put and agreed to.
- 18 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
 And the House, at 11.33 p.m., adjourned until tomorrow.

No. 62 – Friday, 28 May 1999

- 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:
 - Austin and Repatriation Medical Centre – Funding** - Seeking that the Government acts on the request for more funding for the Austin and Repatriation Medical Centre and reconsiders its decision to privatise it, bearing 84 signatures (*by Ms Garbutt*)
 - Capital Punishment** - Seeking that the Government will allow a referendum on Capital Punishment and legislate according to the wishes of the majority, bearing 5,465 signatures (*by Mr Smith, Glen Waverley*)
 - Austin and Repatriation Medical Centre – Overdevelopment** - Seeking that the Government – (a) reconsiders its decision to privatise the Austin and Repatriation Medical Centre; (b) protects the Red Cross Centre, bowling green, and memorial gardens from any future works; and (c) introduces measures to protect the local area from any ill effects of the massive overdevelopment of the Repatriation site, bearing 6 signatures (*by Mr Langdon*)
 - Austin and Repatriation Medical Centre – Access** - Seeking that the Government reconsiders its decision to privatise the Austin and Repatriation Medical Centre and acts to ensure that access to the hospital continues to be on the basis of health and not wealth, bearing 53 signatures (*by Mr Langdon*)
 - Planning System/Good Design Guide** - Seeking that the Government thoroughly reviews the current planning system and the Good Design Guide as it cannot be fixed by the current cosmetic changes, bearing 30 signatures (*by Mr Langdon*)
 - Increase of Police Numbers** - Seeking that the Government honours its 1996 election campaign promise to increase the number of police in Victoria to 11,000 as reductions in police numbers have placed at risk community security and safety, bearing 3 signatures (*by Mr Langdon*)
 - Victorian Cemeteries and Crematoria** - Seeking that all existing and future Victorian cemeteries and crematoria will be publicly owned and remain under the control of the Victorian Government, bearing 56 signatures (*by Mrs Campbell*)
 - Youth Training Centres** - Seeking that the Government ensures that no new youth training centres be built, that it publicly states that it will not build a youth training centre in Broadford and ceases consideration of sites in the Mitchell Shire, bearing 541 signatures (*by Mrs Campbell*).

Severally ordered to lie on the Table.

3 **PAPERS** -

LAW REFORM COMMITTEE - Mr Perton, Chairman, brought up a Report from the Law Reform Committee upon Technology and the Law, 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 Ryan, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 6 of 1999 on the –

Police Regulation and Firearms (Amendment) Bill
Royal Park Land 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:

Australian Food Industry Science Centre – Report for the year 1997-98

Ballarat University – Report for the year 1998, together with an explanation for the delay in tabling

Deakin University – Report for the year 1998, together with an explanation for the delay in tabling

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

La Trobe University – Report for the year 1998, together with an explanation for the delay in tabling

Melbourne City Link Act 1995 – Order pursuant to section 8(4) increasing the Project Area

Melbourne University – Report for the year 1998, together with an explanation for the delay in tabling

Monash University – Report for the year 1998, together with an explanation for the delay in tabling

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 Report upon the *Carriers and Innkeepers Act 1958*

Prevention of Cruelty to Animals Act 1986 –

Code of Practice for the Land Transport of Horses (Victoria)

Code of Practice for the Land Transport of Poultry (Victoria)

Code of Practice for the Land Transport of Pigs (Victoria)

Variation of the Code of Accepted Farming Practice for the Welfare of Livestock – Transport of Livestock (1985)

RMIT University – Report for the year 1998, together with an explanation for the delay in tabling

Swinburne University of Technology – Report for the year 1998, together with an explanation for the delay in tabling

Victoria University of Technology – Report for the year 1998, together with an explanation for the delay in tabling.

- 4 **SITTING OF THE HOUSE** - Motion made and question proposed - 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 McGrath, Wimmera*).

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the expression "— (a) the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker, the day being within seven days after the receipt by the Clerk of the House of a copy of the report of the Longford Royal Commission pursuant to clause 4 of the Longford Royal Commission (Report) Bill; or (b) the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker; whichever is the first to occur, which time of meeting shall be notified in writing to each Member of the House" (*Mr Bracks*) – and, after debate –

Motion made and question – That the question be now put (*Mr Steggall*) – put.

The House divided.

AYES, 52

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

NOES, 27

Mr Andrianopoulos	Ms Delahunty	Mr Lim	
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 Langdon
Mr Carli	Ms Kosky	Mr Thwaites	Mrs Maddigan
Mr Cunningham	Mr Leighton	Mrs Wilson	Mr Robinson

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, 50

Mr Andrighetto	Mr John	Dr Napthine	Mr Traynor
Mr Ashley	Mr Lean	Mr Paterson	Mr Treasure
Ms Burke	Mr Leigh	Mr Perrin	Mrs Wade
Mr Clark	Mr Lupton	Mr Phillips	Mr Wells
Mr Coleman	Mr McArthur	Mr Plowman	
Mr Cooper	Ms McCall	(Benambra)	
Dr Dean	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 Spry	Tellers
Mrs Henderson	Mr McNamara	Mr Steggall	Mr Dixon
Mr Honeywood	Mr MacLellan	Mr Stockdale	Mr Kilgour
Mr Jasper	(Pakenham)	Mrs Tehan	Mr Smith
Mr Jenkins	Mr Maughan	Mr Thompson	(Glen Waverley)

NOES, 29

Mr Andrianopoulos	Ms Davies	Mr Leighton	Mr Thwaites
Mr Baker	Ms Delahunty	Mr Lim	Mrs Wilson
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 Langdon
Mr Carli	Mr Hulls	Mr Savage	Mrs Maddigan
Mr Cunningham	Ms Kosky	Mr Seitz	Mr Robinson

And so it was resolved in the affirmative.

Original motion - put and agreed to.

- 5 **ROYAL PARK LAND 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 **RAIL CORPORATIONS AND TRANSPORT ACTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Cooper 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.*

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

- 8 **RAIL CORPORATIONS AND TRANSPORT ACTS (AMENDMENT) BILL** - Debate continued 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.
- 9 **LONGFORD ROYAL COMMISSION (REPORT) 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 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; Bill read a third time.
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 10 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Government Business, Orders of the Day, Nos 4 to 7 inclusive, be postponed until later this day.
- 11 **CONSTITUTION (REQUESTS) 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 Hulls*) - put and agreed to.
 Ordered - That the debate be adjourned until Friday, 11 June 1999.
- 12 **DATA PROTECTION 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 Carli*) - put and agreed to.
 Ordered - That the debate be adjourned until Friday, 11 June 1999.
- 13 **WATER INDUSTRY (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 Friday, 11 June 1999.
- 14 **CHINESE MEDICINE 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 Friday, 11 June 1999.

- 15 **RAIL CORPORATIONS AND TRANSPORT 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, 25 May 1999 had expired.

Question – put.

The House divided.

AYES, 50

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

NOES, 29

Mr Andrianopoulos	Ms Delahunty	Mr McLellan	
Mr Baker	Ms Garbutt	(Frankston East)	
Mr Batchelor	Ms Gillett	Mrs Maddigan	
Mr Bracks	Mr Haermeyer	Mr Micallef	
Mr Brumby	Mr Hulls	Mr Mildenhall	
Mrs Campbell	Ms Kosky	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Mr Leighton	Mr Savage	Mr Cameron
Mr Cunningham	Mr Lim	Mr Seitz	Mr Langdon
Ms Davies	Mr Loney	Mr Thwaites	Mr Robinson

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 to 3 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.

- 16 **FREEDOM OF INFORMATION (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 the Bill be transmitted to the Legislative Council and their concurrence desired therein – put.

The House divided.

AYES, 50

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

NOES, 29

Mr Andrianopoulos	Ms Delahunty	Mr McLellan	
Mr Baker	Ms Garbutt	(Frankston East)	
Mr Batchelor	Ms Gillett	Mrs Maddigan	
Mr Bracks	Mr Haermeyer	Mr Micallef	
Mr Brumby	Mr Hulls	Mr Mildenhall	
Mrs Campbell	Ms Kosky	Mr Pandazopoulos	<i>Tellers</i>
Mr Carli	Mr Leighton	Mr Savage	Mr Cameron
Mr Cunningham	Mr Lim	Mr Seitz	Mr Langdon
Ms Davies	Mr Loney	Mr Thwaites	Mr Robinson

And so it was resolved in the affirmative.

- 17 **FOOD (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 proper consultation with local government, small business and the food industry takes place in relation to unnecessary costs and duplication in food safety regulation".

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

NOES, 27

Mr Andrianopoulos	Ms Davies	Mr Lim	
Mr Baker	Ms Delahunty	Mr Loney	
Mr Batchelor	Ms Garbutt	Mrs Maddigan	
Mr Bracks	Ms Gillett	Mr Micallef	
Mr Brumby	Mr Haermeyer	Mr Mildenhall	<i>Tellers</i>
Mrs Campbell	Mr Hulls	Mr Pandazopoulos	Mr Cameron
Mr Carli	Ms Kosky	Mr Seitz	Mr Langdon
Mr Cunningham	Mr Leighton	Mr Thwaites	Mr Robinson

And so it was resolved in the affirmative.

Bill read a second time and a third time and transmitted to the Legislative Council and their concurrence desired therein.

- 18 **GAS INDUSTRY ACTS (FURTHER AMENDMENT) BILL** - Government amendments Nos 1 to 17 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.

- 19 **ELECTRICITY INDUSTRY ACTS (FURTHER 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.

Government amendments Nos 1 to 21 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.

- 20 **PAPERS PURSUANT TO STATUTE** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Forensic Leave Panel – Report for the year 1998
 - Planning and Environment Act 1987 –
 - Notices of approval of the following new Planning Schemes:
 - Horsham Planning Scheme
 - Yarra Planning Scheme
 - Notices of approval of amendments to the following Planning Schemes:
 - Berwick Planning Scheme – No. L146
 - Delatite Planning Scheme – No. L17
 - Hume Planning Scheme – Nos. L50, L52
 - Melbourne Planning Scheme – No. C2
 - Statutory Rules under the following Acts:
 - Magistrates' Court Act 1989 – S.R. No. 58
 - Melbourne City Link Act 1995 – S.R. Nos. 55, 56
 - Transport Act 1983 – S.R. No. 57
 - Subordinate Legislation Act 1994 –
 - Minister's exception certificate in relation to Statutory Rule No. 58
 - Ministers' exemption certificates in relation to Statutory Rule Nos. 55, 56, 57.
- 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 7.32 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.

R. W. PURDEY
Clerk of the Legislative Assembly

S. J. PLOWMAN
Speaker

SESSION 1998-99
MESSAGES RECEIVED AFTER THE ADJOURNMENT OF
THE HOUSE ON 25 MAY 1999

MESSAGES FROM THE LEGISLATIVE COUNCIL

Agreeing to the following Bills without amendment:-

On 1 June 1999 -

Interactive Gaming (Player Protection) Bill
 New Tax System Price Exploitation (Victoria) Bill
 Prostitution Control (Amendment) Bill
 Rail Corporations and Transport Acts (Amendment) Bill
 State Taxation Acts (Amendment) Bill

On 2 June 1999 -

Appropriation (1999/2000) Bill
 Australia Acts (Request) Bill
 Commonwealth Places (Mirror Taxes Administration) Bill
 Crimes (Criminal Trials) Bill
 Electricity Industry Acts (Further Amendment) Bill
 Freedom of Information (Amendment) Bill
 Gas Industry Acts (Further Amendment) Bill
 Longford Royal Commission (Report) Bill
 Royal Park Land Bill

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 1 June 1999

Ambulance Services (Further Amendment) Bill
 Dental Practice Bill
 Land (Reservations and other Matters) Bill
 Marine (Amendment) Bill
 Mental Health (Amendment) Bill
 Police Regulation and Firearms (Amendment) Bill
 Shrine of Remembrance (Amendment) Bill
 Stamps (Amendment) Bill

On 8 June 1999

Australia Acts (Request) Bill
 Commonwealth Places (Mirror Taxes Administration) Bill
 Crimes (Criminal Trials) Bill
 Electricity Industry Acts (Further Amendment) Bill
 Financial Sector Reform (Victoria) Bill
 Freedom of Information (Amendment) Bill

Gas Industry Acts (Further Amendment) Bill
Guardianship and Administration (Amendment) Bill
Interactive Gaming (Player Protection) Bill
Longford Royal Commission (Report) Bill
New Tax System Price Exploitation Code (Victoria) Bill
Prostitution Control (Amendment) Bill
Rail Corporations and Transport Acts (Amendment) Bill
Royal Park Land Bill
State Taxation Acts (Amendment) Bill

Informing the Assembly that he had given the Royal Assent to the following Bills, presented to him by the Speaker:-

On 16 June 1999

Appropriation (1999/2000) Bill
Appropriation (Parliament 1999/2000) Bill.



Victoria Government Gazette

No. S 129 Tuesday 24 August 1999
By Authority, Victorian Government Printer

SPECIAL

NOTICE OF SIMULTANEOUS ELECTION SIMULTANEOUS ELECTION

Notice is hereby given that His Excellency the Governor will issue Writs for a General Election of Members to serve in the Legislative Assembly of Victoria, and for the Periodical Election of Members to serve in the Legislative Council of Victoria, as follows:

Date for the Issue of Writs:	24 August 1999
Date for the Close of the Rolls:	27 August 1999
Date of the Nomination (<i>before or on day which nominations are to be made</i>):	3 September 1999
Day of Polling:	18 September 1999
Return of Writs:	On or before 8 October 1999

By His Excellency's Command

STACEY ROBERTSON
Acting Clerk of the Executive Council

The Governor's Office
24 August 1999

PROROGUING THE LEGISLATIVE COUNCIL AND DISSOLVING THE LEGISLATIVE ASSEMBLY PROCLAMATION

I, Sir James Gobbo AC, Governor of the State of Victoria, acting under sections 8(1), 8(2) and 8(3) of the Constitution Act 1975 and all other powers vested in me, PROROGUE the Legislative Council and DISSOLVE the Legislative Assembly forthwith.

I have today ordered that the Writs be issued according to law for a general election of Members to be returned to serve in the Legislative Assembly and for a periodical election of Members to be returned to serve in the Legislative Council.

Given under my Hand and the Seal of the State of Victoria, at Melbourne, this 24th day of August 1999.

(L.S.)

JAMES GOBBO
Governor
By His Excellency's Command

J G KENNETT
Premier

COMMITTEES

SESSION 1998-99

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 17 February 1998 unless otherwise indicated)

Mr Speaker *(ex-officio)*
Mr Jenkins
Mr Leigh
Mr McGrath *(Warrnambool)*
Mr Mildenhall
Mrs Wilson

LAW REFORM (JOINT)

(Assembly Members appointed 14 May 1996 unless otherwise indicated)

Mr Andrighetto
Mr Cole
Ms Delahunty *(Appointed 3 September 1998)*
Mr Loney *(Discharged 3 September 1998)*
Mr Maughan
Mr Patterson
Mr Perton
Mr Robinson *(Appointed 3 September 1998)*
Mr Thwaites *(Discharged 3 September 1998)*

LIBRARY (JOINT)

(Assembly Members appointed 17 February 1998 unless otherwise indicated)

Mr Speaker
Mr Carli
Mrs Maddigan
Mrs Peulich
Mr Treasure

PRIVILEGES

(Assembly Members appointed 17 February 1998 unless otherwise indicated)

Mr Cameron
Mr Cooper
Mr Hulls
Mr Maclellan (*Pakenham*)
Mr Micallef
Mr Perton
Mr Ryan
Mr Smith (*Glen Waverley*)
Mr Thwaites

PUBLIC ACCOUNTS AND ESTIMATES (JOINT)

(Assembly Members appointed 14 May 1996 unless otherwise indicated)

Mr Bracks (*Discharged 21 April 1999*)
Mr Hulls
Mr Loney (*Appointed 3 September 1998*)
Mr Mildenhall (*Appointed 21 April 1999*)
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 Dixon (*Appointed 3 September 1998*)
Mr Langdon
Mr McLellan (*Frankston East*) (*Discharged 3 September 1998*)
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 17 February 1998 unless otherwise indicated)

Mr Speaker
Mr Baker
Mr Batchelor
Mr Cunningham
Mr Jasper
Mr Leigh
Mr Richardson

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISION IN COMMITTEE OF THE WHOLE

No. 1

Thursday, 14 May 1998

No. 1 VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL BILL — Clause 62

62. Representation of parties

- (1) In any proceeding a party—
 - (a) may appear personally; or
 - (b) may be represented by a professional advocate if—
 - (i) the party is a person referred to in sub-section (2); or
 - (ii) another party to the proceeding is a professional advocate; or
 - (iii) another party to the proceeding who is permitted under this section to be represented by a professional advocate is so represented; or
 - (iv) all the parties to the proceeding agree; or
 - (c) may be represented by any person (including a professional advocate) permitted or specified by the Tribunal.
- (2) The following persons may be represented by a professional advocate in a proceeding—
 - (a) a child;
 - (b) a municipal council;
 - (c) the State or a Minister or other person who represents the State;
 - (d) a public authority within the meaning of the **Public Sector Management Act 1992**;
 - (e) the holder of a statutory office within the meaning of the **Public Sector Management Act 1992**;
 - (f) a credit provider within the meaning of the **Consumer Credit (Victoria) Code** or the **Credit Act 1984**;
 - (g) an insurer within the meaning of the **Domestic Building Contracts Act 1995**.

[Sub-Clauses 3 to 7 inclusive not printed]

(8) In this section—

"professional advocate" means—

- (a) a person who is or has been a legal practitioner; or
- (b) a person who is or has been an articled clerk or law clerk in Australia; or
- (c) a person who holds a degree, diploma or other qualification in law granted or conferred in Australia; or
- (d) a person who, in the opinion of the Tribunal, has had substantial experience as an advocate in proceedings of a similar nature to the proceeding before the Tribunal—

other than a person who is in a class of persons disqualified by the rules from being a professional advocate.

[Sub-Clause 9 not printed]

(Mrs Wade)

Amendments proposed —

- 4 Clause 62, after sub-clause 2(a) insert "() a person with a disability;".
- 5 Clause 62, sub-clause (8) after "In this section—" insert "**disability**" means intellectual impairment, mental illness, brain damage, physical disability or senility;".

(Mr Hulls)

Question — That Amendments Nos. 4 and 5 be agreed to — put.

Committee divided.

(Acting Chairman — Mr Richardson)

AYES, 22

Mr Andrianopoulos
Mr Batchelor
Mr Bracks
Mr Brumby
Mr Cunningham
Mr Dollis

Ms Garbutt
Ms Gillett
Mr Haermeyer
Mr Hamilton
Mr Hulls
Mr Leighton

Mr Lim
Mr Loney
Mr Mildenhall
Mr Pandazopoulos
Mr Robinson
Mr Seitz

Mrs Wilson
Tellers
Mr Cameron
Mr Langdon
Mrs Maddigan

NOES, 54

Mr Andrighetto
 Mr Ashley
 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 Jasper

Mr Jenkins
 Mr John
 Mr Kennett
 Mr Lean
 Mr Leigh
 Mr Lupton
 Mr McArthur
 Ms McCall
 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 Plowman
 (*Benambra*)
 Mr Reynolds
 Mr Ryan
 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*)

And so it passed in the negative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 2

Thursday, 8 October 1998

No. 1 CONSERVATION, FORESTS AND LANDS (MISCELLANEOUS AMENDMENTS) BILL
— Clause 37

37. Membership of Council

In section 7 of the **Coastal Management Act 1995** for sub-sections (2) and (3) substitute—

"(2) In recommending persons for appointment as members of the Council, the Minister must have regard to the need for the members to have between them experience and knowledge of conservation, tourism, business, recreation, commerce, issues relating to indigenous peoples, community affairs, town planning, local government and coastal engineering."

(Mrs Tehan)

Amendment proposed —

Clause 37, omit this clause.

(Ms Garbutt)

Question — That the amendment be agreed to — put.

Committee divided.

(Chairman — Mr Richardson)

AYES, 32

Mr Andrianopoulos
Mr Baker
Mr Batchelor
Mr Bracks
Mr Brumby
Mr Campbell
Mr Carli
Mr Cole
Mr Cunningham

Ms Davies
Ms Delahunty
Mr Dollis
Ms Garbutt
Ms Gillett
Mr Haermeyer
Mr Hamilton
Mr Hulls
Ms Kosky

Mr Leighton
Mr Lim
Mr Loney
Mr Micallef
Mr Mildenhall
Mr Pandazopoulos
Mr Robinson
Mr Savage
Mr Seitz

Mr Thwaites
Mrs Wilson

Tellers
Mr Cameron
Mr Langdon
Mrs Maddigan

NOES, 49

Mr Andrighetto	Mr Jenkins	Mr Perrin	Mr Thompson
Mr Ashley	Mr Lean	Mr Perton	Mr Traynor
Mr Clark	Mr Leigh	Mrs Peulich	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	Mrs McGill	Mr Rowe	
Mr Doyle	Mr McGrath	Mr Ryan	
Mr Elder	(Wimmera)	Ms Shardey	
Mrs Elliott	Mr McNamara	Mr Smith	
Mr Finn	Mr Maclellan	(Polwarth)	Tellers
Mr Gude	(Pakenham)	Mr Spry	Ms Burke
Mrs Henderson	Mr Maughan	Mr Steggall	Mr Kilgour
Mr Honeywood	Dr Napthine	Mr Stockdale	Mr Smith
Mr Jasper	Mr Paterson	Mrs Tehan	(Glen Waverley)

And so it passed in the negative.

No. 2 CONSERVATION, FORESTS AND LANDS (MISCELLANEOUS AMENDMENTS) BILL
— Clause 39

39. New section 11A inserted

After section 11 of the **Coastal Management Act 1995** insert—

"11A. Membership of Board not an office of profit

A member of a Board shall not be taken to hold an office or place of profit under the Crown which would—

- (a) prevent the member sitting or voting as a member of the Legislative Council or Legislative Assembly; or
- (b) make void the member's election to the Legislative Council or Legislative Assembly; or
- (c) prevent the member continuing to be a member of the Legislative Council or Legislative Assembly; or
- (d) subject the member to liability to pay a penalty under the **Constitution Act 1975**."

(Mrs Tehan)

Amendment proposed —

Clause 39, omit this clause.

(Ms Garbutt)

Question — That clause 39 stand part of the Bill — put.

Committee divided.

(Chairman — Mr Richardson)

AYES, 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 Cooper	Mr McArthur	Mr Plowman	Mr Wells
Dr Dean	Ms McCall	(Benambra)	
Mr Dixon	Mrs McGill	Mr Rowe	
Mr Doyle	Mr McGrath	Mr Ryan	
Mr Elder	(Wimmera)	Ms Shardey	
Mrs Elliott	Mr McNamara	Mr Smith	
Mr Finn	Mr Maclellan	(Polwarth)	
Mr Gude	(Pakenham)	Mr Spry	Tellers
Mrs Henderson	Mr Maughan	Mr Steggall	Ms Burke
Mr Honeywood	Dr Napthine	Mr Stockdale	Mr Kilgour
Mr Jasper	Mr Paterson	Mrs Tehan	Mr Smith
Mr Jenkins	Mr Perrin	Mr Thompson	(Glen Waverley)

NOES, 31

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

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISION IN COMMITTEE OF THE WHOLE

No. 3

Wednesday, 28 October 1998

No. 1 CRIMES (AMENDMENT) BILL — Clause 6

6. *Amendment of section 360A*

After section 360A(3) of the Crimes Act 1958 insert—

"(4) Despite anything to the contrary in sub-section (2)—

- (a) if the court is satisfied that, in relation to the trial, the accused has engaged in vexatious or unreasonable conduct that has contributed to the accused's inability to afford the full cost of obtaining from a private practitioner legal representation in the trial, the court may refuse to make an order under sub-section (2);

[Sub-paragraphs (b) to (d) inclusive not printed]

- (e) the conditions that may be specified by the court under sub-section (2) do not include conditions relating to the identity, number or remuneration of persons representing the accused;
- (f) the court must give Victoria Legal Aid an opportunity to appear and be heard before an order is made under sub-section (2).

[Sub-clauses (5) and (6) not printed]

(Mrs Wade)

Amendment proposed —

- 1. Clause 6, page 8, lines 12 to 16, [Sub-paragraph (e)] omit all words and expressions on these lines.

(Mr Hulls)

Question — That the amendment be agreed to — put.

Committee divided.

(Chairman — Mr Plowman (*Benambra*))

AYES, 26

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

NOES, 45

Mr Ashley	Mr Jasper	Dr Napthine	Mr Treasure
Ms Burke	Mr Jenkins	Mr Paterson	Mrs Wade
Mr Clark	Mr John	Mr Perrin	Mr Wells
Mr Coleman	Mr Lean	Mrs Peulich	
Mr Cooper	Mr Leigh	Mr Phillips	
Ms Davies	Mr Lupton	Mr Richardson	
Dr Dean	Mr McArthur	Mr Ryan	
Mr Doyle	Ms McCall	Mr Savage	
Mr Elder	Mrs McGill	Mrs Shardey	
Mrs Elliott	Mr McGrath	Mr Smith	<i>Tellers</i>
Mr Finn	(<i>Wimmera</i>)	(<i>Polwarth</i>)	Mr Dixon
Mr Gude	Mr McLellan	Mr Spry	Mr Kilgour
Mrs Henderson	(<i>Frankston East</i>)	Mr Thompson	Mr Smith
Mr Honeywood	Mr Maughan	Mr Traynor	(<i>Glen Waverley</i>)

And so it passed in the negative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISION IN COMMITTEE OF THE WHOLE

No. 4

Wednesday, 11 November 1998

No. 1 LEGAL AID (AMENDMENT) BILL

Insert the following New Clause to follow clause 7—

"A. Application to Supreme Court

In section 30 of the Principal Act, for sub-section (18) substitute—

"(18) A sole practitioner, firm, incorporated practitioner, partner, director or employee aggrieved by any decision of VLA or determination of an independent reviewer made under this section may, within 28 days after the receipt of the notice under sub-section (16F), apply to the Supreme Court for an order setting aside that decision or determination and the Supreme Court may, as it thinks fit, grant the application subject to conditions or unconditionally or postpone the making of an order or dismiss the application."

(Mr Hulls)

Question — That new clause A be read a second time and added to the Bill - put.

Committee divided.

(Chairman — Mr Richardson)

AYES, 29

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

Mr Cunningham
Mr Dollis
Ms Garbutt
Ms Gillett
Mr Haermeyer
Mr Hamilton
Mr Hulls
Ms Kosky

Mr Leighton
Mr Lim
Mr Loney
Mrs Maddigan
Mr Micallef
Mr Mildenhall
Mr Pandazopoulos
Mr Seitz

Mr Thwaites
Mrs Wilson

Tellers
Ms Delahunty
Mr Langdon
Mr Robinson

NOES, 54

Mr Andrighetto	Mr Jenkins	Mr Maughan	Mr Spry
Mr Ashley	Mr John	Dr Napthine	Mr Steggall
Ms Burke	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
Ms Davies	Mr McArthur	Mr Phillips	Mr Treasure
Dr Dean	Ms McCall	Mr Plowman	Mr Wells
Mr Doyle	Mrs McGill	(Benambra)	
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(Wimmera)	Mr Rowe	
Mr Finn	Mr McLellan	Mr Ryan	<i>Tellers</i>
Mr Gude	(Frankston East)	Mr Savage	Mr Dixon
Mrs Henderson	Mr McNamara	Mrs Shardey	Mr Kilgour
Mr Honeywood	Mr Maclellan	Mr Smith	Mr Smith
Mr Jasper	(Pakenham)	(Polwarth)	(Glen Waverley)

And so it passed in the negative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISION IN COMMITTEE OF THE WHOLE

No. 5

Wednesday, 24 March 1999

No. 1 MAGISTRATES' COURT (AMENDMENT) BILL — Clause 9

9. *Powers of County Court on appeal*

(1) In section 86 of the Principal Act, after sub-section (1) insert—

"(1AA) Despite any rule of law or practice to the contrary, the County Court is not required on the hearing of an appeal under section 83, to warn the appellant before making a sentencing order of the possibility of a sentencing order being made, or of its intention to make a sentencing order, that is more severe than that made by the Magistrates' Court."

(2) In section 86(3) of the Principal Act, paragraph (a) is **repealed**.

(3) In section 86 of the Principal Act, after sub-section (3) insert—

"(3A) If an appellant fails to appear at the time listed for the hearing of the appeal, the County Court may—

(a) proceed to hear and determine the appeal in the appellant's absence without prejudice, if the appellant has been released on bail under clause 4 of Schedule 6, to any right of action arising out of the breach of the bail undertaking; or

(b) strike out the appeal; or

(c) adjourn the proceeding on any terms that it thinks fit.

[Remainder of clause not printed]

(Mrs Wade)

Question — That clause 9 stand part of the Bill — put.

Committee divided.

(Chairman — Mr Richardson)

AYES, 51

Mr Andrighetto	Mr John	Dr Napthine	Mr Traynor
Mr Ashley	Mr Kennett	Mr Paterson	Mr Treasure
Ms Burke	Mr Lean	Mr Perrin	Mrs Wade
Mr Clark	Mr Leigh	Mr Perton	Mr Wells
Mr Coleman	Mr Lupton	Mrs Peulich	
Mr Cooper	Mr McArthur	Mr Phillips	
Dr Dean	Ms McCall	Mr Reynolds	
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	Tellers
Mrs Henderson	Mr McNamara	(Polwarth)	Mr Dixon
Mr Honeywood	Mr Maclellan	Mr Spry	Mr Kilgour
Mr Jasper	(Pakenham)	Mrs Tehan	Mr Smith
Mr Jenkins	Mr Maughan	Mr Thompson	(Glen Waverley)

NOES, 30

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

And so it was resolved in the affirmative.

No. 2 — Clause 11

11. *New section 88AA inserted*

After section 88 of the Principal Act insert—

"88AA. *Costs powers of County Court on appeal*

- (1) If an appeal under section 83 is struck out or dismissed, the County Court may order the appellant to pay all or a specified portion of the respondent's costs of the appeal if satisfied that the appeal was brought vexatiously or frivolously or in abuse of process.
- (2) Nothing in sub-section (1) limits any discretion as to costs of an appeal conferred on the County Court by any other provision of this Act or the *County Court Act 1958*."

(Mrs Wade)

Question — That clause 11 stand part of the Bill — put.

Committee divided.

(Chairman — Mr Richardson)

AYES, 50

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

NOES, 29

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

And so it was resolved in the affirmative.

No. 3 — Clause 14

14. Abandonment of appeal

- (1) In clause 6(1) and (2) of Schedule 6 to the Principal Act, after "appellant may" insert ", subject to sub-clause (2A),".
- (2) In clause 6 of Schedule 6 to the Principal Act, after sub-clause (2) insert—
 - "(2A) After the end of the period referred to in clause 1(1), an appellant may only abandon an appeal against a sentencing order with the leave of the County Court granted on an application by the appellant under this sub-clause.
 - (2B) An application may be made under sub-clause (2A) at any time before or after the County Court commences to hear the appeal and, if the County Court grants such an application after commencing to hear the appeal, it must order the reinstatement of the order of the Magistrates' Court.
 - (2C) The County Court may only grant leave on an application under sub-clause (2A) if it is satisfied that it is in the interests of justice to do so because of the existence of exceptional circumstances."

(Mrs Wade)

Question — That clause 14 stand part of the Bill — put.

Committee divided.

(Chairman — Mr Richardson)

AYES, 50

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

NOES, 30

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	
Mr Baker	Ms Davies	Mr Loney	
Mr Batchelor	Ms Delahunty	Mrs Maddigan	
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 Seitz	Mr Langdon
Mr Carli	Mr Hulls	Mr Thwaites	Mr Lim
Mr Cole	Ms Kosky	Mrs Wilson	Mr Robinson

And so it was resolved in the affirmative.

No. 4 — Clause 18, Government amendments 3 to 6.

18. Time held in custody pending appeal

- (1) In section 18(1) of the **Sentencing Act 1991**, after "those proceedings" insert "(including a period pending the determination of an appeal)".
- (2) In section 18 of the **Sentencing Act 1991**, after sub-section (1) insert —
 - "(1A) The Court of Appeal, on dismissing an appeal under Part VI of the **Crimes Act 1958**, may direct that the whole or any part of the period of time during which the appellant was held in custody between giving notice of the appeal or of the application for leave to appeal and the determination of the appeal is not to be reckoned as a period of imprisonment or detention already served under the sentence.
 - (1B) The Court of Appeal cannot direct under sub-section (1A) that more than 3 months of a period of custody is not to be reckoned as a period of imprisonment or detention already served under the sentence."

- (3) In section 18(2) of the **Sentencing Act 1991**, after paragraph (c) insert—
 "(ca) to a period of custody that is the subject of a direction given by the Court of Appeal under sub-section (1A); or"
- (4) In section 579(3) of the **Crimes Act 1958**—
- (a) omit "and subject to any directions which the Court of Appeal may give to the contrary on any appeal, the time during which the appellant if in custody is specially treated as an appellant under this section";
- (b) omit the expression beginning "And in the case of an appeal" and ending at the end of the sub-section.

(Mrs Wade)

Amendments proposed —

3. Clause 18, line 10, omit "an appeal" insert "an application for leave to appeal against sentence brought".
4. Clause 18, line 11, after "may" insert ", if it considers that the application is frivolous or vexatious or brought without there being any reasonably arguable grounds for it,".
5. Clause 18, line 15, omit "appeal or of the".
6. Clause 18, line 16, omit "appeal" (where secondly occurring) and insert "application".

(Mrs Wade)

Question — That Government Amendments Nos 3 to 6 be agreed to — put.

Committee divided.

(Chairman — Mr Richardson)

AYES, 50

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

NOES, 30

Mr Andrianopoulos	Mr Cunningham	Mr Leighton	
Mr Baker	Ms Davies	Mr Loney	
Mr Batchelor	Ms Delahunty	Mrs Maddigan	
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 Seitz	Mr Langdon
Mr Carli	Mr Hulls	Mr Thwaites	Mr Lim
Mr Cole	Ms Kosky	Mrs Wilson	Mr Robinson

And so it was resolved in the affirmative.

No. 5 — Clause 18 *as amended*.

18. Time held in custody pending appeal

- (1) In section 18(1) of the **Sentencing Act 1991**, after "those proceedings" insert "(including a period pending the determination of an appeal)".
- (2) In section 18 of the **Sentencing Act 1991**, after sub-section (1) insert—
 - "(1A) The Court of Appeal, on dismissing an application for leave to appeal against sentence brought under Part VI of the Crimes Act 1958, may, if it considers that the application is frivolous or vexatious or brought without there being any reasonably arguable grounds for it direct that the whole or any part of the period of time during which the appellant was held in custody between giving notice of the application for leave to appeal and the determination of the application is not to be reckoned as a period of imprisonment or detention already served under the sentence.
 - (1B) The Court of Appeal cannot direct under sub-section (1A) that more than 3 months of a period of custody is not to be reckoned as a period of imprisonment or detention already served under the sentence."
- (3) In section 18(2) of the **Sentencing Act 1991**, after paragraph (c) insert—
 - "(ca) to a period of custody that is the subject of a direction given by the Court of Appeal under sub-section (1A); or".
- (4) In section 579(3) of the **Crimes Act 1958**—
 - (a) **omit** "and subject to any directions which the Court of Appeal may give to the contrary on any appeal, the time during which the appellant if in custody is specially treated as an appellant under this section";
 - (b) **omit** the expression beginning "And in the case of an appeal" and ending at the end of the sub-section.

(Mrs Wade)

(Underline denotes insertion by amendment)

Question — That clause 18, as amended, stand part of the Bill — put

Committee divided

(Chairman — Mr Richardson)

AYES, 51

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

NOES, 30

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

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISION IN COMMITTEE OF THE WHOLE

No. 6

Friday, 28 May 1999

No 1 LONGFORD ROYAL COMMISSION (REPORT) BILL — Clause 4

4. Publication of report

- (1) On receipt by the Governor of a copy of a report from the Commissioners of the results of the Longford inquiry and their recommendations, the Minister—
 - (a) must give a copy of the report to the clerk of each House of the Parliament; and
 - (b) must cause the report to be published by the Government Printer.
- (2) A copy of the report given to the clerk of a House of the Parliament under subsection (1) is deemed to have been ordered by the House to be printed and a copy of the report as published shall be tabled in the House on the next sitting day of the House.
- (3) The publication of the report of the Commissioners in accordance with this section is absolutely privileged and the provisions of sections 73 and 74 of the **Constitution Act 1975** and any other enactment or rule of law relating to the publication of the proceedings of the Parliament apply to and in relation to the publication of the report as if it were a report to which those sections applied and had been published by the Government Printer under the authority of the Parliament.

(Mr Kennett)

Amendment proposed:

Clause 4, page 3, after line 2, insert—

- "() There must be fixed a day and time for the next meeting of each House that is within 7 days after the receipt by the clerk of the House of a copy of the report referred to in sub-section (1)."

(Mr Loney)

Question — That the amendment be agreed to — put.

Committee divided.

(Chairman — Mr Maughan)

AYES, 28

Mr Andrianopoulos	Ms Delahunty	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 Savage	Ms Davies
Mr Carli	Ms Kosky	Mr Seitz	Mr Langdon
Mr Cunningham	Mr Leighton	Mr Thwaites	Mr Robinson

NOES, 51

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

And so it passed in the negative.



PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

**OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

**TO ELECT TWO MEMBERS OF THE PARLIAMENT TO THE VICTORIAN
HEALTH PROMOTION FOUNDATION**

21 APRIL 1999

Held in accordance with the provisions of the Tobacco Act 1987

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday, 21 April 1999

THE VICTORIAN HEALTH PROMOTION FOUNDATION

*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.N. Honeywood, MP 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 S.P. Bracks, MP, was resolved in the affirmative.

The Honourable Bruce Anthony Chamberlain, MLC, having expressed his acknowledgement of the honour conferred upon him by the Joint Sitting, then took the Chair.

- 2 **RULES OF PROCEDURE** — The President announced that section 21 of the Tobacco Act 1987 provides that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable P.N. Honeywood, 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 elected 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 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 elected.
4. If more than the required number of Members are proposed and seconded in respect of the vacancies the Members to be 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 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 required number of Members reported to have the greatest number of votes shall be deemed to be duly 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 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 have been elected to the Victorian Health Foundation".
10. The President shall advise the responsible Minister of the Members elected.
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 S.P. Bracks, MP, seconded the motion.

Question — put and resolved in the affirmative.

- 3 **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.N. Honeywood, 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 S.P. Bracks, 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

R.W. PURDEY
Clerk of the Legislative Assembly

By Authority. Government Printer for the State of Victoria

