

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 1

**Thursday 27 February 2003**  
*The Speaker takes the Chair at 9.30 am*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 \***CONSTITUTION (PARLIAMENTARY REFORM) BILL** — Second reading.
- 2 \***PARLIAMENTARY COMMITTEES (AMENDMENT) BILL** — Second reading.
- 3 \***TERRORISM (COMMUNITY PROTECTION) BILL** — Second reading.
- 4 \***FIREARMS (TRAFFICKING AND HANDGUN CONTROL) BILL** — Second reading.
- 5 \***ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Motion for — Resumption of debate (*Mr Andrews*).
- 6 \***OUTWORKERS (IMPROVED PROTECTION) BILL** — Second reading.
- 7 \***FEDERAL AWARDS (UNIFORM SYSTEM) BILL** — Second reading.
- 8 \***COMMISSIONER FOR ENVIRONMENTAL SUSTAINABILITY BILL** — Second reading.
- 9 \***PAY-ROLL TAX (MATERNITY AND ADOPTION LEAVE EXEMPTION) BILL** — Second reading.
- 10 \***RETAIL LEASES BILL** — Second reading.
- 11 \***SMALL BUSINESS COMMISSIONER BILL** — Second reading.
- 12 \***HEALTH LEGISLATION (RESEARCH INVOLVING HUMAN EMBRYOS AND PROHIBITION OF HUMAN CLONING) BILL** — Second reading.
- 13 \***INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

1 \*MR DOYLE — To move, That —

- (a) a joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;

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- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 \***MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
  - 3 \***MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
  - 4 \***MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
  - 5 \***MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —
    - (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and
    - (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
  - 6 \***MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
  - 7 \***MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.

- 8 \***MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 \***MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 \***MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 \***MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 \***MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 \***MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 \***MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 \***MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 \***MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 \***MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.

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- 18 **\*MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP’s election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **\*MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **\*DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **\*MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **\*MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **\*MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **\*MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **\*MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **\*MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **\*MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.

- 28 **\*MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **\*MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **\*MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the

- practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
  - (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

**ORDER OF THE DAY**

- 1 **\*HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

**\*CHAIR OF COMMITTEES** — Mr Loney.

**\*TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

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## \*SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — Sessional Order 4

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

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**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 2

**Tuesday 18 March 2003**

*The Speaker takes the Chair at 2.00 pm*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **CONSTITUTION (PARLIAMENTARY REFORM) BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 2 **PARLIAMENTARY COMMITTEES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 3 **TERRORISM (COMMUNITY PROTECTION) BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 4 **FIREARMS (TRAFFICKING AND HANDGUN CONTROL) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 5 **RETAIL LEASES BILL** — Second reading — *Resumption of debate (Ms Asher).*
- 6 **SMALL BUSINESS COMMISSIONER BILL** — Second reading — *Resumption of debate (Ms Asher).*
- 7 **COMMISSIONER FOR ENVIRONMENTAL SUSTAINABILITY BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 8 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Motion for — *Resumption of debate (Mr Wilson).*
- 9 **OUTWORKERS (IMPROVED PROTECTION) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 10 **FEDERAL AWARDS (UNIFORM SYSTEM) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 11 **PAY-ROLL TAX (MATERNITY AND ADOPTION LEAVE EXEMPTION) BILL** — Second reading — *Resumption of debate (Mr Clark).*

- 12 **HEALTH LEGISLATION (RESEARCH INVOLVING HUMAN EMBRYOS AND PROHIBITION OF HUMAN CLONING) BILL** — Second reading — *Resumption of debate* (Mrs Shardey).
- 13 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
  - (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
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  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;
  - (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;

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- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
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  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
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- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
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- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
(a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
(b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.

- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.

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- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP’s election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.

- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time

- as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
  - (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

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- 31 \***MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 \***MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 \***MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 \***MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 \***MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 \***DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 \***DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 \***DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 \***MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate

## ORDER OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — Sessional Order 4

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|   |             |
|---|-------------|
| Mover .....                                     | unlimited   |
| Lead speaker in response from opposition .....  | 30 minutes* |
| Lead speaker in response from third party ..... | 20 minutes* |
| Any other member .....                          | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|   |            |
|---|------------|
| Mover .....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each ..... | 30 minutes |
| Lead speaker in response from third party .....                         | 20 minutes |
| Any other member .....  | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 3

Wednesday 19 March 2003  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

GRIEVANCES — *Debate on the question* — That grievances be noted

STATEMENTS ON PARLIAMENTARY REPORTS — *Pursuant to Sessional Order 17*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 \*COUNTRY FIRE AUTHORITY (VOLUNTEER PROTECTION AND COMMUNITY SAFETY) BILL — Second reading.
- 2 PARLIAMENTARY COMMITTEES (AMENDMENT) BILL — Second reading — *Resumption of debate (Mr Honeywood).*
- 3 TERRORISM (COMMUNITY PROTECTION) BILL — Second reading — *Resumption of debate (Mr Honeywood).*
- 4 FIREARMS (TRAFFICKING AND HANDGUN CONTROL) BILL — Second reading — *Resumption of debate (Mr Wells).*
- 5 RETAIL LEASES BILL — Second reading — *Resumption of debate (Ms Asher).*
- 6 SMALL BUSINESS COMMISSIONER BILL — Second reading — *Resumption of debate (Ms Asher).*
- 7 CONSTITUTION (PARLIAMENTARY REFORM) BILL — Second reading — *Resumption of debate (Mr Jasper).*
- 8 \*SOUTHERN AND EASTERN INTEGRATED TRANSPORT AUTHORITY BILL — Second reading.
- 9 \*BUSINESS LICENSING LEGISLATION (AMENDMENT) BILL — Second reading.
- 10 \*SENTENCING (AMENDMENT) BILL — Second reading.

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\* New entry.

- 11 **\*SEAFOOD SAFETY BILL** — Second reading.
- 12 **\*MAJOR EVENTS (CROWD MANAGEMENT) BILL** — Second reading.
- 13 **\*MELBOURNE CRICKET GROUND (AMENDMENT) BILL** — Second reading.
- 14 **\*COMMONWEALTH GAMES ARRANGEMENTS (AMENDMENT) BILL** — Second reading.
- 15 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Motion for — Resumption of debate (*Mr Wilson*).
- 16 **COMMISSIONER FOR ENVIRONMENTAL SUSTAINABILITY BILL** — Second reading — *Resumption of debate (Mr Plowman)*.
- 17 **OUTWORKERS (IMPROVED PROTECTION) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 18 **FEDERAL AWARDS (UNIFORM SYSTEM) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 19 **PAY-ROLL TAX (MATERNITY AND ADOPTION LEAVE EXEMPTION) BILL** — Second reading — *Resumption of debate (Mr Clark)*.
- 20 **HEALTH LEGISLATION (RESEARCH INVOLVING HUMAN EMBRYOS AND PROHIBITION OF HUMAN CLONING) BILL** — Second reading — *Resumption of debate (Mrs Shardey)*.
- 21 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early

warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;

- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.

- 3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
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ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.

- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
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- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
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- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to

enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.

- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire

- prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;

- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.

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- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate
- 40 **\*MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **\*MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **\*MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **\*MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **\*MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **\*MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **\*MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.

**ORDER OF THE DAY**

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 4

**Thursday 20 March 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **SOUTHERN AND EASTERN INTEGRATED TRANSPORT AUTHORITY BILL** —  
Second reading.
- 2 **SMALL BUSINESS COMMISSIONER BILL** — Second reading — *Resumption of debate*  
(*Ms Asher*).
- 3 **TERRORISM (COMMUNITY PROTECTION) BILL** — Second reading — *Resumption of*  
*debate (Mr Mildenhall)*.
- 4 **FIREARMS (TRAFFICKING AND HANDGUN CONTROL) BILL** — Second reading —  
*Resumption of debate (Mr Mildenhall)*.
- 5 **CONSTITUTION (PARLIAMENTARY REFORM) BILL** — Second reading — *Resumption*  
*of debate (Mr Batchelor)*.
- 6 **RETAIL LEASES BILL** — Second reading — *Resumption of debate (Mr Stensholt)*.
- 7 **PARLIAMENTARY COMMITTEES (AMENDMENT) BILL** — Second reading —  
*Resumption of debate (Mr Batchelor)*.
- 8 **BUSINESS LICENSING LEGISLATION (AMENDMENT) BILL** — Second reading.
- 9 **SENTENCING (AMENDMENT) BILL** — Second reading.
- 10 **SEAFOOD SAFETY BILL** — Second reading.
- 11 **MAJOR EVENTS (CROWD MANAGEMENT) BILL** — Second reading.
- 12 **MELBOURNE CRICKET GROUND (AMENDMENT) BILL** — Second reading.
- 13 **COMMONWEALTH GAMES ARRANGEMENTS (AMENDMENT) BILL** — Second  
reading.

- 14 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Motion for — Resumption of debate (*Mr Wilson*).
- 15 **COMMISSIONER FOR ENVIRONMENTAL SUSTAINABILITY BILL** — Second reading — *Resumption of debate (Mr Plowman)*.
- 16 **OUTWORKERS (IMPROVED PROTECTION) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 17 **FEDERAL AWARDS (UNIFORM SYSTEM) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 18 **PAY-ROLL TAX (MATERNITY AND ADOPTION LEAVE EXEMPTION) BILL** — Second reading — *Resumption of debate (Mr Clark)*.
- 19 **HEALTH LEGISLATION (RESEARCH INVOLVING HUMAN EMBRYOS AND PROHIBITION OF HUMAN CLONING) BILL** — Second reading — *Resumption of debate (Mrs Shardey)*.
- 20 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
  - (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
  - (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;

- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.

3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.

4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust

- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria’s precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT’s reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT’s operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria’s expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State’s Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.

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- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.

- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State

- Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;

- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.

- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.

## ORDER OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

**BUSINESS LISTED FOR FUTURE DAY****WEDNESDAY 2 APRIL 2003****GOVERNMENT BUSINESS****ORDER OF THE DAY**

- 1 **COUNTRY FIRE AUTHORITY (VOLUNTEER PROTECTION AND COMMUNITY SAFETY) BILL** — Second reading — *Resumption of debate (Mr Wells)*.

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|   |             |
|---|-------------|
| Mover .....                                     | unlimited   |
| Lead speaker in response from opposition .....  | 30 minutes* |
| Lead speaker in response from third party ..... | 20 minutes* |
| Any other member .....                          | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|   |            |
|---|------------|
| Mover .....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each ..... | 30 minutes |
| Lead speaker in response from third party .....                         | 20 minutes |
| Any other member .....  | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 5

**Tuesday 25 March 2003**  
*The Speaker takes the Chair at 2.00 pm*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **\*PUBLIC HOLIDAYS AND SHOP TRADING REFORM ACTS (AMENDMENT) BILL** — *(from Council)* — Second reading.
- 2 **\*TERRORISM (COMMONWEALTH POWERS) BILL** — *(from Council)* — Second reading.
- 3 **\*CRIMES (PROPERTY DAMAGE AND COMPUTER OFFENCES) BILL** — *(from Council)* — Second reading.
- 4 **\*CONTROL OF WEAPONS AND FIREARMS ACT (SEARCH POWERS) BILL** — *(from Council)* — Second reading.
- 5 **HEALTH LEGISLATION (RESEARCH INVOLVING HUMAN EMBRYOS AND PROHIBITION OF HUMAN CLONING) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 6 **COMMISSIONER FOR ENVIRONMENTAL SUSTAINABILITY BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 7 **OUTWORKERS (IMPROVED PROTECTION) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 8 **FEDERAL AWARDS (UNIFORM SYSTEM) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 9 **PAY-ROLL TAX (MATERNITY AND ADOPTION LEAVE EXEMPTION) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 10 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Motion for — *Resumption of debate (Mr Ingram).*

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\* New entry.

11 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.**GENERAL BUSINESS****NOTICES OF MOTION**1 **MR DOYLE** — To move, That —

- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;

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- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
(a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
(b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.

- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.

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- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
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- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.

- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time

- as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
  - (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.

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- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **\*MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **\*MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **\*MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **\*MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.

**ORDER OF THE DAY**

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

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## BUSINESS LISTED FOR FUTURE DAYS

### WEDNESDAY 2 APRIL 2003

#### GOVERNMENT BUSINESS

#### ORDER OF THE DAY

- 1 **COUNTRY FIRE AUTHORITY (VOLUNTEER PROTECTION AND COMMUNITY SAFETY) BILL** — Second reading — *Resumption of debate (Mr Wells)*.

### THURSDAY 3 APRIL 2003

#### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **SOUTHERN AND EASTERN INTEGRATED TRANSPORT AUTHORITY BILL** — Second reading — *Resumption of debate (Mr Mulder)*.
- 2 **BUSINESS LICENSING LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Ms Asher)*.
- 3 **SENTENCING (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 4 **SEAFOOD SAFETY BILL** — Second reading — *Resumption of debate (Dr Naphine)*.
- 5 **MAJOR EVENTS (CROWD MANAGEMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 6 **MELBOURNE CRICKET GROUND (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu)*.
- 7 **COMMONWEALTH GAMES ARRANGEMENTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu)*.

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — Sessional Order 4

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|   |             |
|---|-------------|
| Mover .....                                     | unlimited   |
| Lead speaker in response from opposition .....  | 30 minutes* |
| Lead speaker in response from third party ..... | 20 minutes* |
| Any other member .....                          | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|   |            |
|---|------------|
| Mover .....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each ..... | 30 minutes |
| Lead speaker in response from third party .....                         | 20 minutes |
| Any other member .....  | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 6

**Wednesday 26 March 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

**MATTER OF PUBLIC IMPORTANCE** — *Discussion on Matter*

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Pursuant to Sessional Order 17*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **\*MURRAY-DARLING BASIN (AMENDMENT) BILL** — Second reading.
- 2 **PUBLIC HOLIDAYS AND SHOP TRADING REFORM ACTS (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Ms Asher)*.
- 3 **COMMISSIONER FOR ENVIRONMENTAL SUSTAINABILITY BILL** — Second reading — *Resumption of debate (Mr Plowman)*.
- 4 **FEDERAL AWARDS (UNIFORM SYSTEM) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 5 **OUTWORKERS (IMPROVED PROTECTION) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 6 **PAY-ROLL TAX (MATERNITY AND ADOPTION LEAVE EXEMPTION) BILL** — Second reading — *Resumption of debate (Mr Clark)*.
- 7 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Motion for — *Resumption of debate (Mr Ingram)*.
- 8 **TERRORISM (COMMONWEALTH POWERS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh)*.

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\* New entry.

- 9 **CRIMES (PROPERTY DAMAGE AND COMPUTER OFFENCES) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh)*.
- 10 **CONTROL OF WEAPONS AND FIREARMS ACTS (SEARCH POWERS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Wells)*.
- 11 **\*CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading.
- 12 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
  - (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;

- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
(a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
(b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.

- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.

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- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.

- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a

- protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have

effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;

(q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.

- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.

- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **\*MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **\*MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community's major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **\*MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **\*MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **\*MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **\*MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **\*MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.

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## ORDER OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

## BUSINESS LISTED FOR FUTURE DAYS

### WEDNESDAY 2 APRIL 2003

#### GOVERNMENT BUSINESS

##### ORDER OF THE DAY

- 1 **COUNTRY FIRE AUTHORITY (VOLUNTEER PROTECTION AND COMMUNITY SAFETY) BILL** — Second reading — *Resumption of debate (Mr Wells)*.

### THURSDAY 3 APRIL 2003

#### GOVERNMENT BUSINESS

##### ORDERS OF THE DAY

- 1 **SOUTHERN AND EASTERN INTEGRATED TRANSPORT AUTHORITY BILL** — Second reading — *Resumption of debate (Mr Mulder)*.
- 2 **BUSINESS LICENSING LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Ms Asher)*.
- 3 **SENTENCING (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 4 **SEAFOOD SAFETY BILL** — Second reading — *Resumption of debate (Dr Naphthine)*.
- 5 **MAJOR EVENTS (CROWD MANAGEMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 6 **MELBOURNE CRICKET GROUND (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu)*.
- 7 **COMMONWEALTH GAMES ARRANGEMENTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu)*.

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — Sessional Order 4

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member’s conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister’s time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 7

**Thursday 27 March 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading.
- 2 **PAY-ROLL TAX (MATERNITY AND ADOPTION LEAVE EXEMPTION) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 3 **OUTWORKERS (IMPROVED PROTECTION) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 4 **FEDERAL AWARDS (UNIFORM SYSTEM) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 5 **COMMISSIONER FOR ENVIRONMENTAL SUSTAINABILITY BILL** — Second reading — *Resumption of debate (Ms Asher).*
- 6 **PUBLIC HOLIDAYS AND SHOP TRADING REFORM ACTS (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Crutchfield).*
- 7 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Motion for — *Resumption of debate (Mr Ingram).*
- 8 **TERRORISM (COMMONWEALTH POWERS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh).*
- 9 **CRIMES (PROPERTY DAMAGE AND COMPUTER OFFENCES) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh).*
- 10 **CONTROL OF WEAPONS AND FIREARMS ACTS (SEARCH POWERS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Wells).*
- 11 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

1 **MR DOYLE** — To move, That —

- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;

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- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
  - 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
  - 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
  - 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —
    - (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and
    - (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
  - 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for —
    - (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and
    - (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
  - 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.

- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of

the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.

- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in

Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.

29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.

30 **MR RYAN** — To move, That —

- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings,

fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;

- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
- (c) The Committee has the power to send for persons, papers and records;
- (d) The Committee shall elect one of its members to be Chair;
- (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) Five members of the Committee to be the quorum;
- (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) The Committee shall sit on days on which both Houses do not meet;
- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.

33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for

more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.

- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which

were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.

- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in

response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.

- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 \***MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 \***MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 \***MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.

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- 61 **\*MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **\*MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **\*MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **\*MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **\*MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **\*MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **\*MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **\*MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.

## ORDER OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

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**BUSINESS LISTED FOR FUTURE DAYS****WEDNESDAY 2 APRIL 2003****GOVERNMENT BUSINESS****ORDER OF THE DAY**

- 1 **COUNTRY FIRE AUTHORITY (VOLUNTEER PROTECTION AND COMMUNITY SAFETY) BILL** — Second reading — *Resumption of debate (Mr Wells)*.

**THURSDAY 3 APRIL 2003****GOVERNMENT BUSINESS****ORDERS OF THE DAY**

- 1 **SOUTHERN AND EASTERN INTEGRATED TRANSPORT AUTHORITY BILL** — Second reading — *Resumption of debate (Mr Mulder)*.
- 2 **BUSINESS LICENSING LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Ms Asher)*.
- 3 **SENTENCING (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 4 **SEAFOOD SAFETY BILL** — Second reading — *Resumption of debate (Dr Naphine)*.
- 5 **MAJOR EVENTS (CROWD MANAGEMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 6 **MELBOURNE CRICKET GROUND (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu)*.
- 7 **COMMONWEALTH GAMES ARRANGEMENTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu)*.

**WEDNESDAY 9 APRIL 2003****GOVERNMENT BUSINESS****ORDER OF THE DAY**

- 1 **MURRAY-DARLING BASIN (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman)*.

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

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## COMMITTEES

**\*DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**\*ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**\*ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**\*FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**\*HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**\*LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**\*LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**\*PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**\*PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**\*ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**\*SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**\*STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — Sessional Order 4

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 8

**Tuesday 8 April 2003**

*The Speaker takes the Chair at 2.00 pm*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **SOUTHERN AND EASTERN INTEGRATED TRANSPORT AUTHORITY BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 2 **BUSINESS LICENSING LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Ms Asher).*
- 3 **SENTENCING (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 4 **SEAFOOD SAFETY BILL** — Second reading — *Resumption of debate (Dr Napthine).*
- 5 **MAJOR EVENTS (CROWD MANAGEMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 6 **MELBOURNE CRICKET GROUND (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 7 **COMMONWEALTH GAMES ARRANGEMENTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 8 **TERRORISM (COMMONWEALTH POWERS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh).*
- 9 **CRIMES (PROPERTY DAMAGE AND COMPUTER OFFENCES) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh).*
- 10 **CONTROL OF WEAPONS AND FIREARMS ACTS (SEARCH POWERS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Wells).*
- 11 **COUNTRY FIRE AUTHORITY (VOLUNTEER PROTECTION AND COMMUNITY SAFETY) BILL** — Second reading — *Resumption of debate (Mr Wells).*

- 12 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Motion for — Resumption of debate (*Mr Kotsiras*).
- 13 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

1 **MR DOYLE** — To move, That —

- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;

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- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
(a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
(b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.

- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.

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- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP’s election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.

- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time

- as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
  - (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.

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- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.

- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community's major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.

- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **\*PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).

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\* New entry.

**BUSINESS LISTED FOR FUTURE DAYS****WEDNESDAY 9 APRIL 2003****GOVERNMENT BUSINESS****ORDER OF THE DAY**

- 1 **MURRAY-DARLING BASIN (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*

**THURSDAY 10 APRIL 2003****GOVERNMENT BUSINESS****ORDER OF THE DAY**

- 1 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

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## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

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**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

## **DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

## **TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

### **Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

### **Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

## **CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

## **INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

## **STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 9

**Wednesday 9 April 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

**GRIEVANCES** — *Debate on the question* — That grievances be noted

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Pursuant to Sessional Order 17*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 \***TRANSPORT (MISCELLANEOUS AMENDMENTS) BILL** — Second reading.
- 2 \***PORT SERVICES (PORT OF MELBOURNE REFORM) BILL** — Second reading.
- 3 **SEAFOOD SAFETY BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 4 **MAJOR EVENTS (CROWD MANAGEMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 5 **MELBOURNE CRICKET GROUND (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 6 **SOUTHERN AND EASTERN INTEGRATED TRANSPORT AUTHORITY BILL** — To be further considered in Committee.
- 7 \***CONSTITUTION (WATER AUTHORITIES) BILL** — Second reading.
- 8 \***WATER (VICTORIAN WATER TRUST ADVISORY COUNCIL) BILL** — Second reading.
- 9 \***SAFE DRINKING WATER BILL** — Second reading.
- 10 \***REGIONAL INFRASTRUCTURE DEVELOPMENT FUND (AMENDMENT) BILL** — Second reading.

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\* New entry.

- 11 **\*MELBOURNE (FLINDERS STREET LAND) BILL** — Second reading.
- 12 **\*DANDENONG DEVELOPMENT BOARD BILL** — Second reading.
- 13 **\*SUMMARY OFFENCES (OFFENSIVE BEHAVIOUR) BILL** — Second reading.
- 14 **\*CHILD EMPLOYMENT BILL** — Second reading.
- 15 **COMMONWEALTH GAMES ARRANGEMENTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 16 **TERRORISM (COMMONWEALTH POWERS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh).*
- 17 **CRIMES (PROPERTY DAMAGE AND COMPUTER OFFENCES) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh).*
- 18 **CONTROL OF WEAPONS AND FIREARMS ACTS (SEARCH POWERS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Wells).*
- 19 **COUNTRY FIRE AUTHORITY (VOLUNTEER PROTECTION AND COMMUNITY SAFETY) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 20 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Motion for — Resumption of debate *(Mr Kotsiras).*
- 21 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.
- 22 **MURRAY-DARLING BASIN (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field

communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;

- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.

- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.

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- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.

- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and

- practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;

- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.

- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.

- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.

- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.

- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **\*MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **\*MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **\*MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **\*MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **\*MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **\*MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **\*MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **\*MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).

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**BUSINESS LISTED FOR FUTURE DAY**

**THURSDAY 10 APRIL 2003**

**GOVERNMENT BUSINESS**

**ORDER OF THE DAY**

- 1 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

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## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — Sessional Order 4

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member’s conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister’s time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 10

**Thursday 10 April 2003**

*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### NOTICE OF MOTION

- 1 **\*MS DELAHUNTY** (*Northcote*) — To move, That pursuant to s 46U of the *Planning and Environment Act 1987*, the Melbourne Airport Environs Strategy Plan 2003 be approved.

#### ORDERS OF THE DAY

- 1 **CONSTITUTION (WATER AUTHORITIES) BILL** — Second reading.
- 2 **WATER (VICTORIAN WATER TRUST ADVISORY COUNCIL) BILL** — Second reading.
- 3 **\*WATER LEGISLATION (ESSENTIAL SERVICES COMMISSION AND OTHER AMENDMENTS) BILL** — Second reading.
- 4 **SAFE DRINKING WATER BILL** — Second reading.
- 5 **COMMONWEALTH GAMES ARRANGEMENTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu)*.
- 6 **MELBOURNE CRICKET GROUND (AMENDMENT) BILL** — Second reading — *Resumption of debate (Ms Beattie)*.
- 7 **MAJOR EVENTS (CROWD MANAGEMENT) BILL** — Second reading — *Resumption of debate (Mr Langdon)*.
- 8 **SOUTHERN AND EASTERN INTEGRATED TRANSPORT AUTHORITY BILL** — To be further considered in Committee.

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\* New entry.

- 9 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Motion for — Resumption of debate (*Mr Kotsiras*).
- 10 **TERRORISM (COMMONWEALTH POWERS) BILL** — (*from Council*) — Second reading — *Resumption of debate (Mr McIntosh)*.
- 11 **CRIMES (PROPERTY DAMAGE AND COMPUTER OFFENCES) BILL** — (*from Council*) — Second reading — *Resumption of debate (Mr McIntosh)*.
- 12 **CONTROL OF WEAPONS AND FIREARMS ACTS (SEARCH POWERS) BILL** — (*from Council*) — Second reading — *Resumption of debate (Mr Wells)*.
- 13 **COUNTRY FIRE AUTHORITY (VOLUNTEER PROTECTION AND COMMUNITY SAFETY) BILL** — Second reading — *Resumption of debate (Mr Wells)*.
- 14 **MURRAY-DARLING BASIN (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman)*.
- 15 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 16 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;

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- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;
  - (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
  - (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
  - 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.

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- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other

agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.

- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, That this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data

showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.

- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and

- Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence

- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.

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- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.

- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.

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- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.

- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).

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## BUSINESS LISTED FOR FUTURE DAY

THURSDAY 23 APRIL 2003

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 **TRANSPORT (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 2 **PORT SERVICES (PORT OF MELBOURNE REFORM) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 3 **REGIONAL INFRASTRUCTURE DEVELOPMENT FUND (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 4 **MELBOURNE (FLINDERS STREET LAND) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 5 **DANDENONG DEVELOPMENT BOARD BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 6 **SUMMARY OFFENCES (OFFENSIVE BEHAVIOUR) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 7 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

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## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — Sessional Order 4

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member’s conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister’s time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 11

**Tuesday 29 April 2003**  
*The Speaker takes the Chair at 2.00 pm*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### NOTICE OF MOTION

- 1 **MS DELAHUNTY** (*Northcote*) — To move, That pursuant to s 46U of the *Planning and Environment Act 1987*, the Melbourne Airport Environs Strategy Plan 2003 be approved.

#### ORDERS OF THE DAY

- 1 **\*LEGAL PRACTICE (VALIDATIONS) BILL** — (*from Council*) — Second reading.
- 2 **TERRORISM (COMMONWEALTH POWERS) BILL** — (*from Council*) — Second reading — *Resumption of debate (Mr McIntosh)*.
- 3 **CRIMES (PROPERTY DAMAGE AND COMPUTER OFFENCES) BILL** — (*from Council*) — Second reading — *Resumption of debate (Mr McIntosh)*.
- 4 **CONTROL OF WEAPONS AND FIREARMS ACTS (SEARCH POWERS) BILL** — (*from Council*) — Second reading — *Resumption of debate (Mr Wells)*.
- 5 **PORT SERVICES (PORT OF MELBOURNE REFORM) BILL** — Second reading — *Resumption of debate (Mr Mulder)*.
- 6 **COUNTRY FIRE AUTHORITY (VOLUNTEER PROTECTION AND COMMUNITY SAFETY) BILL** — Second reading — *Resumption of debate (Mr Wells)*.
- 7 **MURRAY-DARLING BASIN (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman)*.
- 8 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.

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\* New entry.

- 9 **TRANSPORT (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 10 **MELBOURNE (FLINDERS STREET LAND) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 11 **CONSTITUTION (WATER AUTHORITIES) BILL** — Second reading — *Resumption of debate (Mr Doyle).*
- 12 **WATER (VICTORIAN WATER TRUST ADVISORY COUNCIL) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 13 **WATER LEGISLATION (ESSENTIAL SERVICES COMMISSION AND OTHER AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 14 **SAFE DRINKING WATER BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 15 **REGIONAL INFRASTRUCTURE DEVELOPMENT FUND (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 16 **DANDENONG DEVELOPMENT BOARD BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 17 **SUMMARY OFFENCES (OFFENSIVE BEHAVIOUR) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 18 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 19 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early

warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;

- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.

- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria’s precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT’s reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT’s operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.

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- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.

- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and

- practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;

- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.

- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.

- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.

- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.

- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (27 March 2003) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

\***EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

\***OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

\***RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 12

**Wednesday 30 April 2003**

*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

**MATTER OF PUBLIC IMPORTANCE** — *Discussion on Matter*

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Pursuant to Sessional Order 17*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **\*ESTATE AGENTS AND SALE OF LAND ACTS (AMENDMENT) BILL** — Second reading.
- 2 **COUNTRY FIRE AUTHORITY (VOLUNTEER PROTECTION AND COMMUNITY SAFETY) BILL** — Second reading — *Resumption of debate (Mr Maxfield).*
- 3 **MURRAY-DARLING BASIN (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 4 **TRANSPORT (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 5 **MELBOURNE (FLINDERS STREET LAND) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 6 **WATER LEGISLATION (ESSENTIAL SERVICES COMMISSION AND OTHER AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 7 **PORT SERVICES (PORT OF MELBOURNE REFORM) BILL** — Second reading — *Resumption of debate (Ms Asher).*
- 8 **CONTROL OF WEAPONS AND FIREARMS ACTS (SEARCH POWERS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Dixon).*

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\* New entry.

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- 9 **CRIMES (PROPERTY DAMAGE AND COMPUTER OFFENCES) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Kotsiras).*
- 10 **TERRORISM (COMMONWEALTH POWERS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Kotsiras).*
- 11 **CONSTITUTION (WATER AUTHORITIES) BILL** — Second reading — *Resumption of debate (Mr Doyle).*
- 12 **WATER (VICTORIAN WATER TRUST ADVISORY COUNCIL) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 13 **SAFE DRINKING WATER BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 14 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 15 **DANDENONG DEVELOPMENT BOARD BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 16 **REGIONAL INFRASTRUCTURE DEVELOPMENT FUND (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 17 **SUMMARY OFFENCES (OFFENSIVE BEHAVIOUR) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 18 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 19 **LEGAL PRACTICE (VALIDATIONS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh).*
- 20 **\*ROAD SAFETY (HEAVY VEHICLE SAFETY) BILL** — Second reading.
- 21 **\*VICTORIAN URBAN DEVELOPMENT AUTHORITY BILL** — Second reading.
- 22 **\*ROYAL AGRICULTURAL SHOWGROUNDS BILL** — Second reading.
- 23 **\*PLANNING AND ENVIRONMENT (METROPOLITAN GREEN WEDGE PROTECTION) BILL** — Second reading.
- 24 **\*CORRECTIONS (AMENDMENT) BILL** — Second reading.
- 25 **\*ALBURY-WODONGA AGREEMENT (REPEAL) BILL** — Second reading.
- 26 **\*AUDIT (AMENDMENT) BILL** — Second reading.
- 27 **\*ENERGY LEGISLATION (CONSUMER PROTECTION AND OTHER AMENDMENTS) BILL** — Second reading.
- 28 **\*VICTIMS OF CRIME ASSISTANCE (MISCELLANEOUS AMENDMENTS) BILL** — Second reading.
- 29 **\*COURTS LEGISLATION (AMENDMENT) BILL** — Second reading.

30 \***CONFISCATION (AMENDMENT) BILL** — Second reading.

31 \***LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** — Second reading.

32 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

1 **MR DOYLE** — To move, That —

- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;

- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
 (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
 (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential

Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.

- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.

- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP’s election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.

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- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time

- as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
  - (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.

- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.

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- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community's major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.

- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.

- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **\*MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **\*MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (27 March 2003) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 13

**Thursday 1 May 2003**

*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **PLANNING AND ENVIRONMENT (METROPOLITAN GREEN WEDGE PROTECTION) BILL** — Second reading.
- 2 **MURRAY-DARLING BASIN (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 3 **COUNTRY FIRE AUTHORITY (VOLUNTEER PROTECTION AND COMMUNITY SAFETY) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 4 **TRANSPORT (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 5 **WATER LEGISLATION (ESSENTIAL SERVICES COMMISSION AND OTHER AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Sykes).*
- 6 **MELBOURNE (FLINDERS STREET LAND) BILL** — Second reading — *Resumption of debate (Ms Marshall).*
- 7 **PORT SERVICES (PORT OF MELBOURNE REFORM) BILL** — Second reading — *Resumption of debate (Mr Dixon).*
- 8 **CONTROL OF WEAPONS AND FIREARMS ACTS (SEARCH POWERS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Dixon).*
- 9 **CRIMES (PROPERTY DAMAGE AND COMPUTER OFFENCES) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Kotsiras).*
- 10 **TERRORISM (COMMONWEALTH POWERS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Kotsiras).*
- 11 **ROAD SAFETY (HEAVY VEHICLE SAFETY) BILL** — Second reading.

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- 12 **VICTORIAN URBAN DEVELOPMENT AUTHORITY BILL** — Second reading.
- 13 **ROYAL AGRICULTURAL SHOWGROUNDS BILL** — Second reading.
- 14 **CORRECTIONS (AMENDMENT) BILL** — Second reading.
- 15 **ALBURY-WODONGA AGREEMENT (REPEAL) BILL** — Second reading.
- 16 **AUDIT (AMENDMENT) BILL** — Second reading.
- 17 **ENERGY LEGISLATION (CONSUMER PROTECTION AND OTHER AMENDMENTS) BILL** — Second reading.
- 18 **VICTIMS OF CRIME ASSISTANCE (MISCELLANEOUS AMENDMENTS) BILL** — Second reading.
- 19 **COURTS LEGISLATION (AMENDMENT) BILL** — Second reading.
- 20 **CONFISCATION (AMENDMENT) BILL** — Second reading.
- 21 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** — Second reading.
- 22 **\*FEDERAL AWARDS (UNIFORM SYSTEM) BILL — AMENDMENT OF THE LEGISLATIVE COUNCIL** — To be considered.
- 23 **\*VOCATIONAL EDUCATION AND TRAINING (TAFE QUALIFICATIONS) BILL** — *(from Council)*— Second reading.
- 24 **\*UNIVERSITY ACTS (AMENDMENT) BILL** — *(from Council)* — Second reading.
- 25 **CONSTITUTION (WATER AUTHORITIES) BILL** — Second reading — *Resumption of debate (Mr Doyle).*
- 26 **WATER (VICTORIAN WATER TRUST ADVISORY COUNCIL) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 27 **SAFE DRINKING WATER BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 28 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 29 **DANDENONG DEVELOPMENT BOARD BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 30 **REGIONAL INFRASTRUCTURE DEVELOPMENT FUND (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 31 **SUMMARY OFFENCES (OFFENSIVE BEHAVIOUR) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 32 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
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- 33 **LEGAL PRACTICE (VALIDATIONS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh)*.
- 34 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
  - (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;
  - (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;

- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
 (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
 (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.

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- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.

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- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP’s election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.

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- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time

- as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
  - (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.

- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.

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- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community's major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.

- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.

- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).

- 3 \***CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).

## **BUSINESS LISTED FOR FUTURE DAY**

**WEDNESDAY 14 MAY 2003**

**GOVERNMENT BUSINESS**

**ORDER OF THE DAY**

- 1 **ESTATE AGENTS AND SALE OF LAND ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman)*.

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — Sessional Order 4

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 14

**Tuesday 6 May 2003**  
*The Speaker takes the Chair at 2.00 pm*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **\*CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL** — *(from Council)* —  
Second reading.
- 2 **DANDENONG DEVELOPMENT BOARD BILL** — Second reading — *Resumption of debate*  
*(Mr Perton).*
- 3 **SUMMARY OFFENCES (OFFENSIVE BEHAVIOUR) BILL** — Second reading —  
*Resumption of debate (Mr Perton).*
- 4 **TRANSPORT (MISCELLANEOUS AMENDMENTS) BILL** — Second reading —  
*Resumption of debate (Mr Baillieu).*
- 5 **CONSTITUTION (WATER AUTHORITIES) BILL** — Second reading — *Resumption of*  
*debate (Mr Doyle).*
- 6 **WATER (VICTORIAN WATER TRUST ADVISORY COUNCIL) BILL** — Second reading  
— *Resumption of debate (Mr Plowman).*
- 7 **SAFE DRINKING WATER BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 8 **REGIONAL INFRASTRUCTURE DEVELOPMENT FUND (AMENDMENT) BILL** —  
Second reading — *Resumption of debate (Mrs Shardey).*
- 9 **UNIVERSITY ACTS (AMENDMENT) BILL** — *(from Council)* — *Resumption of debate*  
*(Mr Dixon).*
- 10 **VOCATIONAL EDUCATION AND TRAINING (TAFE QUALIFICATIONS) BILL** —  
*(from Council)* — *Resumption of debate (Mr Dixon).*

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\* New entry.

- 11 **LEGAL PRACTICE (VALIDATIONS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh)*.
- 12 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 13 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey)*.
- 14 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
  - (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
  - (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;

- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
 (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
 (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a

continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.

- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.

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- 16 **MR PLOWMAN** — To move, That this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.

- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has

- had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;

(q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-

General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.

- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.

- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community's major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.

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- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.

- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **\*EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **\*OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).

## BUSINESS LISTED FOR FUTURE DAYS

### WEDNESDAY 14 MAY 2003

#### GOVERNMENT BUSINESS

##### ORDER OF THE DAY

- 1 **ESTATE AGENTS AND SALE OF LAND ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman)*.

### THURSDAY 15 MAY 2003

#### GOVERNMENT BUSINESS

##### ORDERS OF THE DAY

- 1 **PLANNING AND ENVIRONMENT (METROPOLITAN GREEN WEDGE PROTECTION) BILL** — Second reading — *Resumption of debate (Mr Baillieu)*.
- 2 **ROAD SAFETY (HEAVY VEHICLE SAFETY) BILL** — Second reading — *Resumption of debate (Mr Mulder)*.
- 3 **VICTORIAN URBAN DEVELOPMENT AUTHORITY BILL** — Second reading — *Resumption of debate (Mr Honeywood)*.

- 4 **ROYAL AGRICULTURAL SHOWGROUNDS BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 5 **CORRECTIONS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 6 **ALBURY-WODONGA AGREEMENT (REPEAL) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 7 **AUDIT (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 8 **ENERGY LEGISLATION (CONSUMER PROTECTION AND OTHER AMENDMENTS) BILL** — Second reading — *Resumption of debate (Ms Asher).*
- 9 **VICTIMS OF CRIME ASSISTANCE (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 10 **COURTS LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 11 **CONFISCATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 12 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

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**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 15

**Wednesday 7 May 2003**

*The Speaker takes the Chair at 9.30 am*

### **BUSINESS TO TAKE PRECEDENCE**

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

**MATTER OF PUBLIC IMPORTANCE** — *Discussion on Matter*

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Pursuant to Sessional Order 17*

### **GOVERNMENT BUSINESS**

#### **ORDERS OF THE DAY**

- 1 **UNIVERSITY ACTS (AMENDMENT) BILL** — *(from Council) — Resumption of debate (Mr Dixon).*
- 2 **VOCATIONAL EDUCATION AND TRAINING (TAFE QUALIFICATIONS) BILL** — *(from Council) — Resumption of debate (Mr Dixon).*
- 3 **SAFE DRINKING WATER BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 4 **REGIONAL INFRASTRUCTURE DEVELOPMENT FUND (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Napthine).*
- 5 **WATER (VICTORIAN WATER TRUST ADVISORY COUNCIL) BILL** — Second reading — *Resumption of debate (Dr Napthine).*
- 6 **SUMMARY OFFENCES (OFFENSIVE BEHAVIOUR) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 7 **CONSTITUTION (WATER AUTHORITIES) BILL** — Second reading — *Resumption of debate (Mr Ingram).*
- 8 **DANDENONG DEVELOPMENT BOARD BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 9 **\*STATE TAXATION ACTS (MISCELLANEOUS AMENDMENTS) BILL** — Second reading.

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- 10 **\*CORRECTIONS AND SENTENCING ACTS (HOME DETENTION) BILL** — Second reading.
- 11 **\*DRUGS, POISONS AND CONTROLLED SUBSTANCES (VOLATILE SUBSTANCES) BILL** — Second reading.
- 12 **\*ATTORNEY-GENERAL AND SOLICITOR-GENERAL (AMENDMENT) BILL** — Second reading.
- 13 **\*FISHERIES (AMENDMENT) BILL** — Second reading.
- 14 **\*FAIR TRADING (AMENDMENT) BILL** — Second reading.
- 15 **\*AUSTRALIAN CRIME COMMISSION (STATE PROVISIONS) BILL** — Second reading.
- 16 **\*FIREARMS (TRAFFICKING AND HANDGUN CONTROL) BILL — AMENDMENTS OF THE LEGISLATIVE COUNCIL** — To be considered.
- 17 **LEGAL PRACTICE (VALIDATIONS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh)*.
- 18 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 19 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey)*.
- 20 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early

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\* New entry.

warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;

- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.

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- 3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.

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- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.

- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and

- practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;

- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.

- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.

- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.

- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.

- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.

- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the ‘no tolling Scoresby Freeway’ public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **\*MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).

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**BUSINESS LISTED FOR FUTURE DAYS****THURSDAY 8 MAY 2003****GOVERNMENT BUSINESS****ORDERS OF THE DAY**

- 1 **\*APPROPRIATION (2003/2004) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 2 **\*APPROPRIATION (PARLIAMENT 2003/2004) BILL** — Second reading — *Resumption of debate (Mr Clark).*

**WEDNESDAY 14 MAY 2003****GOVERNMENT BUSINESS****ORDER OF THE DAY**

- 1 **ESTATE AGENTS AND SALE OF LAND ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*

**THURSDAY 15 MAY 2003****GOVERNMENT BUSINESS****ORDERS OF THE DAY**

- 1 **PLANNING AND ENVIRONMENT (METROPOLITAN GREEN WEDGE PROTECTION) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 2 **ROAD SAFETY (HEAVY VEHICLE SAFETY) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 3 **VICTORIAN URBAN DEVELOPMENT AUTHORITY BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 4 **ROYAL AGRICULTURAL SHOWGROUNDS BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 5 **CORRECTIONS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 6 **ALBURY-WODONGA AGREEMENT (REPEAL) BILL** — Second reading — *Resumption of debate (Dr Napthine).*
- 7 **AUDIT (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*

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- 8 **ENERGY LEGISLATION (CONSUMER PROTECTION AND OTHER AMENDMENTS) BILL** — Second reading — *Resumption of debate (Ms Asher).*
- 9 **VICTIMS OF CRIME ASSISTANCE (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 10 **COURTS LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 11 **CONFISCATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 12 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*

**TUESDAY 20 MAY 2003**

**GOVERNMENT BUSINESS**

**ORDER OF THE DAY**

- 1 **CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Baillieu).*

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — Sessional Order 4

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member’s conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister’s time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 16

**Thursday 8 May 2003**

*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **APPROPRIATION (2003/2004) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 2 **CONSTITUTION (WATER AUTHORITIES) BILL** — Second reading — *Resumption of debate (Mr Ingram).*
- 3 **SAFE DRINKING WATER BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 4 **WATER (VICTORIAN WATER TRUST ADVISORY COUNCIL) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 5 **VOCATIONAL EDUCATION AND TRAINING (TAFE QUALIFICATIONS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh).*
- 6 **UNIVERSITY ACTS (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Honeywood).*
- 7 **DANDENONG DEVELOPMENT BOARD BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 8 **REGIONAL INFRASTRUCTURE DEVELOPMENT FUND (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Thompson).*
- 9 **FIREARMS (TRAFFICKING AND HANDGUN CONTROL) BILL — AMENDMENTS OF THE LEGISLATIVE COUNCIL** — To be considered.
- 10 **APPROPRIATION (PARLIAMENT 2003/2004) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 11 **LEGAL PRACTICE (VALIDATIONS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh).*

- 12 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 13 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey)*.
- 14 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
  - (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;
  - (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;

- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and

(c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.

- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.

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- 16 **MR PLOWMAN** — To move, That this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.

- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has

- had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;

(q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-

General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.

- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.

- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community's major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.

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- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.

- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).

## BUSINESS LISTED FOR FUTURE DAYS

**WEDNESDAY 14 MAY 2003**

**GOVERNMENT BUSINESS**

**ORDER OF THE DAY**

- 1 **ESTATE AGENTS AND SALE OF LAND ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman)*.

**THURSDAY 15 MAY 2003****GOVERNMENT BUSINESS****ORDERS OF THE DAY**

- 1 **PLANNING AND ENVIRONMENT (METROPOLITAN GREEN WEDGE PROTECTION) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 2 **ROAD SAFETY (HEAVY VEHICLE SAFETY) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 3 **VICTORIAN URBAN DEVELOPMENT AUTHORITY BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 4 **ROYAL AGRICULTURAL SHOWGROUNDS BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 5 **CORRECTIONS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 6 **ALBURY-WODONGA AGREEMENT (REPEAL) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 7 **AUDIT (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 8 **ENERGY LEGISLATION (CONSUMER PROTECTION AND OTHER AMENDMENTS) BILL** — Second reading — *Resumption of debate (Ms Asher).*
- 9 **VICTIMS OF CRIME ASSISTANCE (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 10 **COURTS LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 11 **CONFISCATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 12 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*

**TUESDAY 20 MAY 2003****GOVERNMENT BUSINESS****ORDER OF THE DAY**

- 1 **CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Baillieu).*

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**WEDNESDAY 21 MAY 2003**

**GOVERNMENT BUSINESS**

**ORDERS OF THE DAY**

- 1 **CORRECTIONS AND SENTENCING ACTS (HOME DETENTION) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 2 **AUSTRALIAN CRIME COMMISSION (STATE PROVISIONS) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 3 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (VOLATILE SUBSTANCES) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 4 **ATTORNEY-GENERAL AND SOLICITOR-GENERAL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 5 **FISHERIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 6 **FAIR TRADING (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 7 **STATE TAXATION ACTS (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — Sessional Order 4

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member’s conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister’s time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 17

**Tuesday 20 May 2003**

*The Speaker takes the Chair at 2.00 pm*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **ESTATE AGENTS AND SALE OF LAND ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 2 **PLANNING AND ENVIRONMENT (METROPOLITAN GREEN WEDGE PROTECTION) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 3 **ROAD SAFETY (HEAVY VEHICLE SAFETY) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 4 **VICTORIAN URBAN DEVELOPMENT AUTHORITY BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 5 **ROYAL AGRICULTURAL SHOWGROUNDS BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 6 **CORRECTIONS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 7 **AUDIT (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 8 **ENERGY LEGISLATION (CONSUMER PROTECTION AND OTHER AMENDMENTS) BILL** — Second reading — *Resumption of debate (Ms Asher).*
- 9 **VICTIMS OF CRIME ASSISTANCE (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 10 **COURTS LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 11 **APPROPRIATION (2003/2004) BILL** — Second reading — *Resumption of debate (Mr Hudson).*

- 12 **APPROPRIATION (PARLIAMENT 2003/2004) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 13 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 14 **LEGAL PRACTICE (VALIDATIONS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh).*
- 15 **CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Baillieu).*
- 16 **ALBURY-WODONGA AGREEMENT (REPEAL) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 17 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 18 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 19 **CONFISCATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 20 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future

management of forests and National Parks; and (xi) appropriate relief and recovery measures;

- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.

3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests,

or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.

- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.

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- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, That this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.

- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and

- (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;

- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.

- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.

- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.

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- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.

- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all

local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Naphthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **\*DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).

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\* New entry.

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**BUSINESS LISTED FOR FUTURE DAY****WEDNESDAY 21 MAY 2003****GOVERNMENT BUSINESS****ORDERS OF THE DAY**

- 1 **CORRECTIONS AND SENTENCING ACTS (HOME DETENTION) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 2 **AUSTRALIAN CRIME COMMISSION (STATE PROVISIONS) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 3 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (VOLATILE SUBSTANCES) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 4 **ATTORNEY-GENERAL AND SOLICITOR-GENERAL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 5 **FISHERIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 6 **FAIR TRADING (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 7 **STATE TAXATION ACTS (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|   |             |
|---|-------------|
| Mover .....                                     | unlimited   |
| Lead speaker in response from opposition .....  | 30 minutes* |
| Lead speaker in response from third party ..... | 20 minutes* |
| Any other member .....                          | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|   |            |
|---|------------|
| Mover .....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each ..... | 30 minutes |
| Lead speaker in response from third party .....                         | 20 minutes |
| Any other member .....  | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

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**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 18

**Wednesday 21 May 2003**

*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

**GRIEVANCES** — *Debate on the question* — That grievances be noted

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Pursuant to Sessional Order 17*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **ROYAL AGRICULTURAL SHOWGROUNDS BILL** — Second reading — *Resumption of debate (Mrs Powell).*
- 2 **FAIR TRADING (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 3 **CORRECTIONS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 4 **AUDIT (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 5 **VICTIMS OF CRIME ASSISTANCE (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Dr Napthine).*
- 6 **\*WRONGS AND LIMITATION OF ACTIONS ACTS (INSURANCE REFORM) BILL** — Second reading.
- 7 **COURTS LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Napthine).*
- 8 **APPROPRIATION (2003/2004) BILL** — Second reading — *Resumption of debate (Mr Maughan).*

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\* New entry.

- 9 **ESTATE AGENTS AND SALE OF LAND ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Langdon).*
- 10 **PLANNING AND ENVIRONMENT (METROPOLITAN GREEN WEDGE PROTECTION) BILL** — Second reading — *Resumption of debate (Mr Merlino).*
- 11 **ROAD SAFETY (HEAVY VEHICLE SAFETY) BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 12 **VICTORIAN URBAN DEVELOPMENT AUTHORITY BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 13 **CORRECTIONS AND SENTENCING ACTS (HOME DETENTION) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 14 **AUSTRALIAN CRIME COMMISSION (STATE PROVISIONS) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 15 **STATE TAXATION ACTS (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 16 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (VOLATILE SUBSTANCES) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 17 **APPROPRIATION (PARLIAMENT 2003/2004) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 18 **ENERGY LEGISLATION (CONSUMER PROTECTION AND OTHER AMENDMENTS) BILL** — Second reading — *Resumption of debate (Ms Asher).*
- 19 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 20 **ATTORNEY-GENERAL AND SOLICITOR-GENERAL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 21 **FISHERIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 22 **LEGAL PRACTICE (VALIDATIONS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh).*
- 23 **CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Baillieu).*
- 24 **ALBURY-WODONGA AGREEMENT (REPEAL) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 25 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 26 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*

- 27 **CONFISCATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Napthine).*
- 28 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

1 **MR DOYLE** — To move, That —

- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;

- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
 (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
 (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.

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- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.

- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP’s election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.

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- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time

- as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
  - (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.

- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.

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- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community's major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.

- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.

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- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **\*MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning 'deliberately' misled this House and the people of Victoria on 6 and 8 May 2003.

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**ORDERS OF THE DAY**

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **\*THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **\*NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

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**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 19

**Thursday 22 May 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **COURTS LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Mildenhall).*
- 2 **PLANNING AND ENVIRONMENT (METROPOLITAN GREEN WEDGE PROTECTION) BILL** — Second reading — *Resumption of debate (Mr Merlino).*
- 3 **ESTATE AGENTS AND SALE OF LAND ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Langdon).*
- 4 **VICTIMS OF CRIME ASSISTANCE (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 5 **ROYAL AGRICULTURAL SHOWGROUNDS BILL** — Second reading — *Resumption of debate (Mr Kotsiras).*
- 6 **AUDIT (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Kotsiras).*
- 7 **ROAD SAFETY (HEAVY VEHICLE SAFETY) BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 8 **VICTORIAN URBAN DEVELOPMENT AUTHORITY BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 9 **APPROPRIATION (2003/2004) BILL** — Second reading — *Resumption of debate (Ms Shardey).*
- 10 **CORRECTIONS AND SENTENCING ACTS (HOME DETENTION) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 11 **AUSTRALIAN CRIME COMMISSION (STATE PROVISIONS) BILL** — Second reading — *Resumption of debate (Mr Wells).*

- 12 **STATE TAXATION ACTS (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 13 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (VOLATILE SUBSTANCES) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 14 **APPROPRIATION (PARLIAMENT 2003/2004) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 15 **ENERGY LEGISLATION (CONSUMER PROTECTION AND OTHER AMENDMENTS) BILL** — Second reading — *Resumption of debate (Ms Asher).*
- 16 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 17 **ATTORNEY-GENERAL AND SOLICITOR-GENERAL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 18 **FISHERIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 19 **LEGAL PRACTICE (VALIDATIONS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh).*
- 20 **CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Baillieu).*
- 21 **ALBURY-WODONGA AGREEMENT (REPEAL) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 22 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 23 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 24 **CONFISCATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 25 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in

- particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;
  - (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
  - (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect

notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and

(q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further

severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.

- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.

- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant

- issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;

- (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) Five members of the Committee to be the quorum;
- (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) The Committee shall sit on days on which both Houses do not meet;
- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.

- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.

- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House,

including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.

- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.

- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.

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- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the ‘no tolling Scoresby Freeway’ public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **\*DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (27 March 2003) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (30 April 2003) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (1 May 2003) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (8 May 2003) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (20 May 2003) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (20 May 2003) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).

## BUSINESS LISTED FOR FUTURE DAY

**WEDNESDAY 4 JUNE 2003**

**GOVERNMENT BUSINESS**

**ORDER OF THE DAY**

- 1 **WRONGS AND LIMITATION OF ACTIONS ACTS (INSURANCE REFORM) BILL** — Second reading — *Resumption of debate (Mr Ryan)*.

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — Sessional Order 4

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

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**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 20

**Tuesday 3 June 2003**

*The Speaker takes the Chair at 2.00 pm*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **CORRECTIONS AND SENTENCING ACTS (HOME DETENTION) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 2 **AUSTRALIAN CRIME COMMISSION (STATE PROVISIONS) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 3 **STATE TAXATION ACTS (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 4 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (VOLATILE SUBSTANCES) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 5 **APPROPRIATION (PARLIAMENT 2003/2004) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 6 **ENERGY LEGISLATION (CONSUMER PROTECTION AND OTHER AMENDMENTS) BILL** — Second reading — *Resumption of debate (Ms Asher).*
- 7 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 8 **ATTORNEY-GENERAL AND SOLICITOR-GENERAL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 9 **FISHERIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 10 **LEGAL PRACTICE (VALIDATIONS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh).*
- 11 **CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Baillieu).*

- 12 **ALBURY-WODONGA AGREEMENT (REPEAL) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 13 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 14 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 15 **CONFISCATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 16 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
  - (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
  - (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;

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- (g) six members of the Committee shall constitute a quorum of the Committee;
  - (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
  - (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
(a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
(b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.

- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.

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- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.

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- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a

- protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have

effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;

(q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57,985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he

carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.

- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return

safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.

- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community's major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could

not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.

- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.

- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Naphtine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).

**BUSINESS LISTED FOR FUTURE DAY****WEDNESDAY 4 JUNE 2003****GOVERNMENT BUSINESS****ORDER OF THE DAY**

- 1 **WRONGS AND LIMITATION OF ACTIONS ACTS (INSURANCE REFORM) BILL** —  
Second reading — *Resumption of debate (Mr Ryan)*.

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

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**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|   |             |
|---|-------------|
| Mover .....                                     | unlimited   |
| Lead speaker in response from opposition .....  | 30 minutes* |
| Lead speaker in response from third party ..... | 20 minutes* |
| Any other member .....                          | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|   |            |
|---|------------|
| Mover .....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each ..... | 30 minutes |
| Lead speaker in response from third party .....                         | 20 minutes |
| Any other member .....  | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 21

**Wednesday 4 June 2003**

*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Pursuant to Sessional Order 17*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **CRIMES (STALKING AND FAMILY VIOLENCE) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 2 **CORRECTIONS AND SENTENCING ACTS (HOME DETENTION) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 3 **AUSTRALIAN CRIME COMMISSION (STATE PROVISIONS) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 4 **STATE TAXATION ACTS (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 5 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (VOLATILE SUBSTANCES) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 6 **APPROPRIATION (PARLIAMENT 2003/2004) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 7 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 8 **ATTORNEY-GENERAL AND SOLICITOR-GENERAL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 9 **FISHERIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 10 **LEGAL PRACTICE (VALIDATIONS) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr McIntosh).*

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- 11 **CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Baillieu).*
- 12 **WRONGS AND LIMITATION OF ACTIONS ACTS (INSURANCE REFORM) BILL** — Second reading — *Resumption of debate (Mr Ryan).*
- 13 **\*COMMONWEALTH GAMES ARRANGEMENTS (GOVERNANCE) BILL** — Second reading.
- 14 **\*NATIONAL ENVIRONMENT PROTECTION COUNCIL (VICTORIA) (AMENDMENT) BILL** — Second reading.
- 15 **\*SUPREME COURT (VEXATIOUS LITIGANTS) BILL** — Second reading.
- 16 **\*VICTORIAN INDUSTRY PARTICIPATION POLICY BILL** — Second reading.
- 17 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 18 **CONFISCATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 19 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.
- 20 **ALBURY-WODONGA AGREEMENT (REPEAL) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources

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\* New entry.

available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;

- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.

- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria’s precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT’s reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT’s operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.

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- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.

- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and

- practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;

- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.

- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.

- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.

- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.

- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.

- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the ‘no tolling Scoresby Freeway’ public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **\*MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **\*MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (26 February 2003) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (27 March 2003) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (30 April 2003) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (1 May 2003) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (8 May 2003) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (20 May 2003) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (20 May 2003) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **\*TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (3 June 2003) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).

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## CONTINGENT NOTICE OF MOTION

*Upon the Crimes (Stalking and Family Violence) Bill being committed.*

- 1 **\*MR HULLS** — To move, That, upon the Crimes (Stalking and Family Violence) Bill being committed, I will move— That it be an instruction to the Committee that they have power to divide the Crimes (Stalking and Family Violence) Bill into two Bills as follows:
  - (a) A Crimes (Stalking) Bill being the Crimes (Stalking and Family Violence) Bill with the following changes:
    - (i) Long title as follows:  
"A Bill to amend the **Crimes Act 1958** with respect to the offence of stalking and for other purposes.";
    - (ii) Short title as follows:

**"Crimes (Stalking) Act 2003";**

- (iii) Heading to Part 1 of the Bill;
  - (iv) Clause 1 as follows:
    - "1. Purpose**
    - The purpose of this Act is to amend the **Crimes Act 1958** with respect to the offence of stalking to ensure that the offence—
      - (a) covers cyberstalking; and
      - (b) no longer requires proof as to the actual effect on the victim of the course of conduct engaged in by the offender; and
      - (c) has extra-territorial operation.";
  - (v) Clause 2;
  - (vi) Heading to Part 2 of the Bill;
  - (vii) Clauses 3, 4 and 5;
  - (viii) Clause 6, omitting "**Crimes (Stalking and Family Violence) Act 2003**" (where four times occurring) and inserting "**Crimes (Stalking) Act 2003**";
  - (ix) Part 3 of the Bill omitted;
- (b) A Crimes (Family Violence) (Amendment) Bill being the Crimes (Stalking and Family Violence) Bill with the following changes:
- (i) Long title as follows:
    - "A Bill to amend the **Crimes (Family Violence) Act 1987** with respect to consent orders and for other purposes.";
  - (ii) Short title as follows:
    - "Crimes (Family Violence) (Amendment) Act 2003";**
  - (iii) Heading to Part 1 of the Bill;
  - (iv) Clause 1 as follows:
    - "1. Purpose**
    - The purpose of this Act is to amend the **Crimes (Family Violence) Act 1987**—
      - (a) to ensure that intervention orders can be made by consent; and
      - (b) to validate certain orders made by consent before the commencement of this Act.";
  - (v) Clause 2;
  - (vi) Part 2 of the Bill omitted;
  - (vii) Heading to Part 3 of the Bill renumbered 2;
  - (viii) Clause 7 renumbered 3;
  - (ix) Clause 8, renumbered 4, omitting "**Crimes (Stalking and Family Violence) Act 2003**" (where twice occurring) and inserting "**Crimes (Family Violence) (Amendment) Act 2003**";
  - (x) Clause 9 renumbered 5;

(c) That each Bill may be ordered to be printed and reported separately to the House.

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R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|   |             |
|---|-------------|
| Mover .....                                     | unlimited   |
| Lead speaker in response from opposition .....  | 30 minutes* |
| Lead speaker in response from third party ..... | 20 minutes* |
| Any other member .....                          | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|   |            |
|---|------------|
| Mover .....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each ..... | 30 minutes |
| Lead speaker in response from third party .....                         | 20 minutes |
| Any other member .....  | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 22

**Thursday 5 June 2003**

*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **WRONGS AND LIMITATION OF ACTIONS ACTS (INSURANCE REFORM) BILL** — Second reading — *Resumption of debate (Mr Ryan).*
- 2 **CORRECTIONS AND SENTENCING ACTS (HOME DETENTION) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 3 **STATE TAXATION ACTS (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 4 **LIVESTOCK DISEASE CONTROL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 5 **APPROPRIATION (PARLIAMENT 2003/2004) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 6 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (VOLATILE SUBSTANCES) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 7 **AUSTRALIAN CRIME COMMISSION (STATE PROVISIONS) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 8 **COMMONWEALTH GAMES ARRANGEMENTS (GOVERNANCE) BILL** — Second reading.
- 9 **NATIONAL ENVIRONMENT PROTECTION COUNCIL (VICTORIA) (AMENDMENT) BILL** — Second reading.
- 10 **SUPREME COURT (VEXATIOUS LITIGANTS) BILL** — Second reading.
- 11 **VICTORIAN INDUSTRY PARTICIPATION POLICY BILL** — Second reading.

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- 12 **ALBURY-WODONGA AGREEMENT (REPEAL) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 13 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 14 **\*CRIMES (STALKING) BILL** — To be further considered in Committee.
- 15 **CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Baillieu).*
- 16 **CONFISCATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 17 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
  - (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;

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\* New entry.

- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
 (a) failing to consult Victorian communities, in particular Victorian coastal communities, in

regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.

- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.

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- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.

- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State

- Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;

- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.

- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: 'it is important that

workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.

- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.

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- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.

- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to

reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 \***MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (26 February 2003) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (27 March 2003) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).

- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Naphine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **\*CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **\*SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **\*AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|   |             |
|---|-------------|
| Mover .....                                     | unlimited   |
| Lead speaker in response from opposition .....  | 30 minutes* |
| Lead speaker in response from third party ..... | 20 minutes* |
| Any other member .....                          | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|   |            |
|---|------------|
| Mover .....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each ..... | 30 minutes |
| Lead speaker in response from third party .....                         | 20 minutes |
| Any other member .....  | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 23

**Tuesday 26 August 2003**  
*The Speaker takes the Chair at 2.00 pm*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **CONFISCATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 2 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 3 **COMMONWEALTH GAMES ARRANGEMENTS (GOVERNANCE) BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 4 **NATIONAL ENVIRONMENT PROTECTION COUNCIL (VICTORIA) (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 5 **CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Baillieu).*
- 6 **ALBURY-WODONGA AGREEMENT (REPEAL) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 7 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 8 **VICTORIAN INDUSTRY PARTICIPATION POLICY BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 9 **SUPREME COURT (VEXATIOUS LITIGANTS) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 10 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

1 **MR DOYLE** — To move, That —

- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;

- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
(a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
(b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.

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- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of

the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.

- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in

Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.

29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.

30 **MR RYAN** — To move, That —

- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings,

fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;

- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
- (c) The Committee has the power to send for persons, papers and records;
- (d) The Committee shall elect one of its members to be Chair;
- (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) Five members of the Committee to be the quorum;
- (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) The Committee shall sit on days on which both Houses do not meet;
- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.

33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for

more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.

- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which

were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.

- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in

response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.

- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.

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- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukranian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.

- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning 'deliberately' misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.

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- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government's own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government's home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **\*MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **\*MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words 'urgently needed' new relocatable classrooms for Victoria's schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **\*MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **\*MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.

- 89 **\*MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **\*MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).

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- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/ TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **\*COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — Sessional Order 4

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

## **DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

## **TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

### **Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

### **Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

## **CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

## **INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

## **STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 24

**Wednesday 27 August 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

**GRIEVANCES** — *Debate on the question* — That grievances be noted

**STATEMENTS ON COMMITTEE REPORTS** — *Pursuant to Sessional Order 17*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 \* **HUMAN SERVICES (COMPLEX NEEDS) BILL** — Second reading.
- 2 \* **HERITAGE (AMENDMENT) BILL** — Second reading.
- 3 **COMMONWEALTH GAMES ARRANGEMENTS (GOVERNANCE) BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 4 **NATIONAL ENVIRONMENT PROTECTION COUNCIL (VICTORIA) (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 5 **CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Baillieu).*
- 6 **ALBURY-WODONGA AGREEMENT (REPEAL) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 7 **CHILD EMPLOYMENT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 8 **CONFISCATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Mildenhall).*
- 9 **VICTORIAN INDUSTRY PARTICIPATION POLICY BILL** — Second reading — *Resumption of debate (Mr Honeywood).*

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\* New entry.

- 10 **SUPREME COURT (VEXATIOUS LITIGANTS) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 11 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 12 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.
- 13 **\*SUPERANNUATION ACTS (FAMILY LAW) BILL** — Second reading.
- 14 **\*NON-EMERGENCY PATIENT TRANSPORT BILL** — Second reading.
- 15 **\*INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL** — Second reading.
- 16 **\*GRAIN HANDLING AND STORAGE (AMENDMENT) BILL** — Second reading.
- 17 **\*CEMETERIES AND CREMATORIA BILL** — Second reading.
- 18 **\*AERODROME LANDING FEES BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (v`ii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;

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- (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;
  - (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
  - (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
  - 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
  - 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust

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- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria’s precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT’s reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT’s operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria’s expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State’s Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.

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- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, That this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.

- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State

- Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;

- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.

- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: 'it is important that

workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.

- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.

- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.

- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to

reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive

maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.

- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **\*MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).

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- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **\*PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member’s conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister’s time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 25

**Thursday 28 August 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **ALBURY-WODONGA AGREEMENT (REPEAL) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 2 **CHILD EMPLOYMENT BILL** — *Resumption of debate 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 House refuses to read this Bill a second time until key stakeholders are consulted on options to address the needs of the community, and ways to properly protect children’ *(Mr Mulder).*
- 3 **COMMONWEALTH GAMES ARRANGEMENTS (GOVERNANCE) BILL** — Second reading — *Resumption of debate (Dr Napthine).*
- 4 **NATIONAL ENVIRONMENT PROTECTION COUNCIL (VICTORIA) (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Howard).*
- 5 **CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Dixon).*
- 6 **CONFISCATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Napthine).*
- 7 **SUPERANNUATION ACTS (FAMILY LAW) BILL** — Second reading.
- 8 **NON-EMERGENCY PATIENT TRANSPORT BILL** — Second reading.
- 9 **INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL** — Second reading.
- 10 **GRAIN HANDLING AND STORAGE (AMENDMENT) BILL** — Second reading.
- 11 **CEMETERIES AND CREMATORIA BILL** — Second reading.
- 12 **AERODROME LANDING FEES BILL** — Second reading.

- 13 **VICTORIAN INDUSTRY PARTICIPATION POLICY BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 14 **SUPREME COURT (VEXATIOUS LITIGANTS) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 15 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 16 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
  - (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;

- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.

3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.

4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust

5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
(a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
(b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.

6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a

continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.

- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside

fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.

- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this

project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.

- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the

- fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
  - (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit

that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.

- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.

- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community's major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.

- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from

Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.

- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across

rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.

- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.

- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 \***MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 \***MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).

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\* New entry.

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- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
  - 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
  - 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
  - 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
  - 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
  - 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
  - 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
  - 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
  - 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
  - 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
  - 15 **\*NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
  - 16 **\*CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27 August 2003*) — Relating to the cuts proposed for Disability and

Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).

- 17 **\*PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **\*TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **\*SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).

## BUSINESS LISTED FOR FUTURE DAY

WEDNESDAY 10 SEPTEMBER 2003

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **HUMAN SERVICES (COMPLEX NEEDS) BILL** — Second reading — *Resumption of debate (Mrs Shardey)*.
- 2 **HERITAGE (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu)*.

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

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**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|   |             |
|---|-------------|
| Mover .....                                     | unlimited   |
| Lead speaker in response from opposition .....  | 30 minutes* |
| Lead speaker in response from third party ..... | 20 minutes* |
| Any other member .....                          | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|   |            |
|---|------------|
| Mover .....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each ..... | 30 minutes |
| Lead speaker in response from third party .....                         | 20 minutes |
| Any other member .....  | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 26

**Tuesday 16 September 2003**  
*The Speaker takes the Chair at 2.00 pm*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **VICTORIAN INDUSTRY PARTICIPATION POLICY BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 2 **SUPREME COURT (VEXATIOUS LITIGANTS) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 3 **HUMAN SERVICES (COMPLEX NEEDS) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 4 **HERITAGE (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 5 **AERODROME LANDING FEES BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 6 **SUPERANNUATION ACTS (FAMILY LAW) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 7 **NON-EMERGENCY PATIENT TRANSPORT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 8 **INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 9 **GRAIN HANDLING AND STORAGE (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 10 **CEMETERIES AND CREMATORIA BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 11 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 12 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

1 **MR DOYLE** — To move, That —

- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;

- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
(a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
(b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.

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- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.

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- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP’s election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.

- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the

practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;

- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
- (c) The Committee has the power to send for persons, papers and records;
- (d) The Committee shall elect one of its members to be Chair;
- (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) Five members of the Committee to be the quorum;
- (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) The Committee shall sit on days on which both Houses do not meet;
- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.

- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government’s 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.

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- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of

embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.

- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.

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- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.

- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning 'deliberately' misled this House and the people of Victoria on 6 and 8 May 2003.

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- 81 **DR NAPTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government's own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government's home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words 'urgently needed' new relocatable classrooms for Victoria's schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long

problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.

- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 \***MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).

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\* New entry.

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- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
  - 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
  - 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
  - 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
  - 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
  - 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
  - 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
  - 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
  - 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
  - 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
  - 16 **\*CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27 and 28 August 2003*) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).

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- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **\*MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **\*DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

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**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|   |             |
|---|-------------|
| Mover .....                                     | unlimited   |
| Lead speaker in response from opposition .....  | 30 minutes* |
| Lead speaker in response from third party ..... | 20 minutes* |
| Any other member .....                          | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|   |            |
|---|------------|
| Mover .....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each ..... | 30 minutes |
| Lead speaker in response from third party .....                         | 20 minutes |
| Any other member .....  | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 27

**Wednesday 17 September 2003**

*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

**MATTER OF PUBLIC IMPORTANCE** — *Discussion on Matter*

**STATEMENTS ON COMMITTEE REPORTS** — *Pursuant to Sessional Order 17*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **\*EDUCATION LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL** — Second reading.
- 2 **\*EDUCATION (WORKPLACE LEARNING) BILL** — Second reading.
- 3 **\*VICTORIAN QUALIFICATIONS AUTHORITY (AMENDMENT) BILL** — Second reading.
- 4 **AERODROME LANDING FEES BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 5 **SUPERANNUATION ACTS (FAMILY LAW) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 6 **VICTORIAN INDUSTRY PARTICIPATION POLICY BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 7 **SUPREME COURT (VEXATIOUS LITIGANTS) BILL** — Second reading — *Resumption of debate (Mr Dixon).*
- 8 **HERITAGE (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 9 **HUMAN SERVICES (COMPLEX NEEDS) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*

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\* New entry.

- 10 **NON-EMERGENCY PATIENT TRANSPORT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 11 **\*PLANNING AND ENVIRONMENT (PORT OF MELBOURNE) BILL** — Second reading.
- 12 **\*WATER LEGISLATION (AMENDMENT) BILL** — Second reading.
- 13 **\*ROYAL BOTANIC GARDENS (AMENDMENT) BILL** — Second reading.
- 14 **\*SCOTS' CHURCH PROPERTIES (AMENDMENT) BILL** — Second reading.
- 15 **INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 16 **GRAIN HANDLING AND STORAGE (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 17 **CEMETERIES AND CREMATORIA BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 18 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 19 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
  - (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future

management of forests and National Parks; and (xi) appropriate relief and recovery measures;

- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.

3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests,

or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.

- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.

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- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, That this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.

- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and

- (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;

- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.

- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.

- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.

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- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.

- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all

local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.

- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia’s mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

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- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (27 March 2003) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
  - 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (30 April 2003) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
  - 4 **\*EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (1 May 2003 and 16 September 2003) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
  - 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
  - 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (8 May 2003) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
  - 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (20 May 2003) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
  - 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (20 May 2003) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
  - 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (3 June 2003) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
  - 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (4 June 2003) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
  - 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (4 June 2003) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
  - 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
  - 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (5 June 2003) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).

- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27 and 28 August 2003*) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **\*POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (*16 September 2003*) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **\*MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (*16 September 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **\*DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).

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- 25 **\*DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **\*SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **\*AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).

## **BUSINESS LISTED FOR FUTURE DAY**

**THURSDAY 18 SEPTEMBER 2003**

**GOVERNMENT BUSINESS**

**ORDER OF THE DAY**

- 1 **\*MENTAL HEALTH (AMENDMENT) BILL** — Second reading.

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member’s conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister’s time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 28

**Thursday 18 September 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **PLANNING AND ENVIRONMENT (PORT OF MELBOURNE) BILL** — Second reading.
- 2 **SCOTS' CHURCH PROPERTIES (AMENDMENT) BILL** — Second reading.
- 3 **MENTAL HEALTH (AMENDMENT) BILL** — Second reading.
- 4 **\*TRAVEL AGENTS (AMENDMENT) BILL** — *(from Council)* — Second reading.
- 5 **HUMAN SERVICES (COMPLEX NEEDS) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 6 **NON-EMERGENCY PATIENT TRANSPORT BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 7 **VICTORIAN INDUSTRY PARTICIPATION POLICY BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 8 **SUPREME COURT (VEXATIOUS LITIGANTS) BILL** — Second reading — *Resumption of debate (Mr Thompson).*
- 9 **HERITAGE (AMENDMENT) BILL** — Second reading — *Resumption of debate (Ms Delahunty, Nothcote).*
- 10 **INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 11 **GRAIN HANDLING AND STORAGE (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*

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\* New entry.

- 12 **CEMETERIES AND CREMATORIA BILL** — Second reading — *Resumption of debate (Dr Naphthine)*.
- 13 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 14 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
  - (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
  - (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;
  - (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;

- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and

(c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.

- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.

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- 16 **MR PLOWMAN** — To move, That this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.

- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has

- had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;

(q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-

General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.

- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.

- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community's major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.

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- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.

- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

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- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.

- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 \***MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 \***MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.

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**ORDERS OF THE DAY**

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Naphine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).

- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27 and 28 August 2003*) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (*16 September 2003*) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (*16 September 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).

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- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **\*SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **\*MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **\*PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).

## BUSINESS LISTED FOR FUTURE DAY

WEDNESDAY 1 OCTOBER 2003

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **EDUCATION LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Perton)*.
- 2 **EDUCATION (WORKPLACE LEARNING) BILL** — Second reading — *Resumption of debate (Mr Perton)*.
- 3 **VICTORIAN QUALIFICATIONS AUTHORITY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Dixon)*.
- 4 **WATER LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman)*.

- 5 **ROYAL BOTANIC GARDENS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

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**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover .....                                    | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover .....  | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 29

**Tuesday 7 October 2003**  
*The Speaker takes the Chair at 2.00 pm*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 2 **GRAIN HANDLING AND STORAGE (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 3 **CEMETERIES AND CREMATORIA BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 4 **PLANNING AND ENVIRONMENT (PORT OF MELBOURNE) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 5 **MENTAL HEALTH (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 6 **\*HEALTH LEGISLATION (AMENDMENT) BILL** — *(from Council)* — Second reading.
- 7 **SCOTS' CHURCH PROPERTIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 8 **TRAVEL AGENTS (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Kotsiras).*
- 9 **EDUCATION LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 10 **EDUCATION (WORKPLACE LEARNING) BILL** — Second reading — *Resumption of debate (Mr Perton).*

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\* New entry.

- 11 **VICTORIAN QUALIFICATIONS AUTHORITY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Dixon)*.
- 12 **WATER LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman)*.
- 13 **ROYAL BOTANIC GARDENS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman)*.
- 14 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 15 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
  - (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
  - (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;

- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —
  - (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and
  - (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.

- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.

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- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.

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- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a

- protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have

effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;

(q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57,985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he

carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.

- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return

safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.

- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community's major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could

not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.

- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.

- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

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- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.

- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.

- 97 \***MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 \***MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Naphthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).

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- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (3 June 2003) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (4 June 2003) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (4 June 2003) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (5 June 2003) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (26 August 2003) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (27 August 2003) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **\*CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (27, 28 August and 18 September 2003) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (27 August 2003) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (27 August 2003) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (27 August 2003) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).

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- 20 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (28 August 2003) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (28 August 2003) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (16 September 2003) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (16 September 2003) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (16 September 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (16 September 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (16 September 2003) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (17 September 2003) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **\*MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (17 and 18 September 2003) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (17 September 2003) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **\*PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (18 September 2003) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).

- 32 \***MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 \***PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS**— Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 \***METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 \***ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 \***INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

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**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**\*DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the period 6 to 17 October 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 30

**Wednesday 8 October 2003**

*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

**MATTER OF PUBLIC IMPORTANCE** — *Discussion on Matter*

**STATEMENTS ON COMMITTEE REPORTS** — *Pursuant to Sessional Order 17*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **\*EXTRACTIVE INDUSTRIES DEVELOPMENT (AMENDMENT) BILL** — Second reading.
- 2 **\*RESIDENTIAL TENANCIES (AMENDMENT) BILL** — Second reading.
- 3 **\*ELECTORAL (AMENDMENT) BILL** — Second reading.
- 4 **MENTAL HEALTH (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Delahunty, Lowan).*
- 5 **HEALTH LEGISLATION (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mrs Shardey).*
- 6 **\*CONSTITUTION (SUPREME COURT) BILL** — Second reading.
- 7 **INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL** — Second reading — *Resumption of debate (Mr Dixon).*
- 8 **GRAIN HANDLING AND STORAGE (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 9 **CEMETERIES AND CREMATORIA BILL** — *Resumption of debate 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 House refuses to read this bill a second time until consultation has taken place with key stakeholders concerning heritage issues, industry structure and freedom of choice in the selection of headstones and grave monuments’ *(Mr Baillieu).*

- 10 **\*PORT SERVICES (PORT MANAGEMENT REFORM) BILL** — Second reading.
- 11 **\*TRANSPORT (RIGHTS AND RESPONSIBILITIES) BILL** — Second reading.
- 12 **\*ROAD SAFETY (AMENDMENT) BILL** — Second reading.
- 13 **EDUCATION LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 14 **EDUCATION (WORKPLACE LEARNING) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 15 **VICTORIAN QUALIFICATIONS AUTHORITY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Dixon).*
- 16 **WATER LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 17 **ROYAL BOTANIC GARDENS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 18 **SCOTS' CHURCH PROPERTIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 19 **TRAVEL AGENTS (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Kotsiras).*
- 20 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 21 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment

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\* New entry.

and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;

- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.

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- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.

- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant

- issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;

- (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) Five members of the Committee to be the quorum;
- (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) The Committee shall sit on days on which both Houses do not meet;
- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.

- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.

- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House,

including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.

- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.

- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.

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- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the ‘no tolling Scoresby Freeway’ public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.

- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia’s mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.

- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).

- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Naphine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).

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- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (27 August 2003) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (27, 28 August and 18 September 2003) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (27 August 2003) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (27 August 2003) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (27 August 2003) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (28 August 2003) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (28 August 2003) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (16 September 2003) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (16 September 2003) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (16 September 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (16 September 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).

- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS** — Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **\*DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).

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- 38 \***CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (7 October 2003) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 \***NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (7 October 2003) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member’s conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister’s time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the period 6 to 17 October 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 31

Thursday 9 October 2003  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### NOTICE OF MOTION

- 1 \***MR BRACKS** — To move, That as the first anniversary of the Bali bombings approaches, the Legislative Assembly of Victoria — (a) pauses and reflects on the loss of 202 innocent lives — including 88 Australians — and the suffering of survivors, families and friends as a consequence of the bombings; (b) applauds the efforts of thousands of people in Australia and Bali who gave selfless assistance in the aftermath of the bombings to heal the wounded, comfort the bereaved and bring the perpetrators to justice; (c) extends our thoughts and prayers at this sad time to the peace-loving Balinese, who suffered greatly as a result of this outrage; and (d) remembers the lives lost, re-affirms our commitment to political and religious freedom, tolerance and compassion, confirms our resolution to oppose terrorism, prejudice and extremism and renews our hope for a more peaceful world.

#### ORDERS OF THE DAY

- 1 **MENTAL HEALTH (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 2 **CEMETERIES AND CREMATORIA BILL** — *Resumption of debate 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 House refuses to read this bill a second time until consultation has taken place with key stakeholders concerning heritage issues, industry structure and freedom of choice in the selection of headstones and grave monuments’ (*Mr Baillieu*).
- 3 **GRAIN HANDLING AND STORAGE (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*

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\* New entry.

- 4 **INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL** — Second reading — *Resumption of debate (Mr Dixon).*
- 5 **HEALTH LEGISLATION (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Leighton).*
- 6 **ROAD SAFETY (AMENDMENT) BILL** — Second reading.
- 7 **ELECTORAL (AMENDMENT) BILL** — Second reading.
- 8 **RESIDENTIAL TENANCIES (AMENDMENT) BILL** — Second reading.
- 9 **EDUCATION LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 10 **EDUCATION (WORKPLACE LEARNING) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 11 **VICTORIAN QUALIFICATIONS AUTHORITY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Dixon).*
- 12 **WATER LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 13 **ROYAL BOTANIC GARDENS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 14 **SCOTS' CHURCH PROPERTIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Napthine).*
- 15 **TRAVEL AGENTS (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Kotsiras).*
- 16 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 17 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing

- the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;
  - (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
  - (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water

resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.

- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to

Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.

- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based

- National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;

- (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) The Committee shall sit on days on which both Houses do not meet;
- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.

33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.

34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.

35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.

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- 36 **DR NAPTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.

- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.

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- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.

- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its

application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.

- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the ‘no tolling Scoresby Freeway’ public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the

initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.

- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia’s mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.

- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.
- 99 \***MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria’s rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government’.
- 100 \***MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (27 March 2003) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (30 April 2003) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (1 May 2003 and 16 September 2003) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (8 May 2003) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (20 May 2003) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (20 May 2003) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (3 June 2003) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (4 June 2003) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (4 June 2003) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (5 June 2003) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).

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- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27, 28 August and 18 September 2003*) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (*16 September 2003*) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (*16 September 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).

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- 25 **\*DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (*16 September and 8 October 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS** — Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).

- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (7 October 2003) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).
- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (7 October 2003) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **\*NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (7 and 8 October 2003 ) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).
- 40 **\*BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (8 October 2003) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).

## BUSINESS LISTED FOR FUTURE DAY

### WEDNESDAY 22 OCTOBER 2003

#### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **EXTRACTIVE INDUSTRIES DEVELOPMENT (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphine)*.
- 2 **PORT SERVICES (PORT MANAGEMENT REFORM) BILL** — Second reading — *Resumption of debate (Dr Naphine)*.
- 3 **TRANSPORT (RIGHTS AND RESPONSIBILITIES) BILL** — Second reading — *Resumption of debate (Mr Mulder)*.

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003 AND AMENDED 16 SEPTEMBER 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the period 6 to 17 October 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 32

**Tuesday 14 October 2003**  
*The Speaker takes the Chair at 2.00 pm*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **EDUCATION LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 2 **EDUCATION (WORKPLACE LEARNING) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 3 **VICTORIAN QUALIFICATIONS AUTHORITY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Dixon).*
- 4 **WATER LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 5 **ROYAL BOTANIC GARDENS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 6 **SCOTS' CHURCH PROPERTIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 7 **TRAVEL AGENTS (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Kotsiras).*
- 8 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 9 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

1 **MR DOYLE** — To move, That —

- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;

- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
(a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
(b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.

- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of

the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.

- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in

Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.

29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.

30 **MR RYAN** — To move, That —

- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings,

fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;

- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
- (c) The Committee has the power to send for persons, papers and records;
- (d) The Committee shall elect one of its members to be Chair;
- (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) Five members of the Committee to be the quorum;
- (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) The Committee shall sit on days on which both Houses do not meet;
- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.

33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for

more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.

- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which

were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.

- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in

response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.

- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.

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- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukranian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.

- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning 'deliberately' misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.

- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government's own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government's home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words 'urgently needed' new relocatable classrooms for Victoria's schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.

- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of Waltzing Matilda at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.
- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has

stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria's rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government'.

- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).

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- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/ TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27, 28 August and 18 September 2003*) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).

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- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (*16 September 2003*) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (*16 September 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (*16 September and 8 October 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).

- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS**— Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).
- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (*7 October 2003*) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (*7 and 8 October 2003*) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).
- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (*8 October 2003*) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).

## BUSINESS LISTED FOR FUTURE DAYS

**WEDNESDAY 22 OCTOBER 2003**

**GOVERNMENT BUSINESS**

**ORDERS OF THE DAY**

- 1 **EXTRACTIVE INDUSTRIES DEVELOPMENT (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Napthine)*.
- 2 **PORT SERVICES (PORT MANAGEMENT REFORM) BILL** — Second reading — *Resumption of debate (Dr Napthine)*.

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- 3 **TRANSPORT (RIGHTS AND RESPONSIBILITIES) BILL** — Second reading —  
*Resumption of debate (Mr Mulder).*

**THURSDAY 23 OCTOBER 2003**

**GOVERNMENT BUSINESS**

**ORDERS OF THE DAY**

- 1 **ROAD SAFETY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 2 **ELECTORAL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 3 **RESIDENTIAL TENANCIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003 AND AMENDED 16 SEPTEMBER 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member’s conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister’s time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the period 6 to 17 October 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 33

**Wednesday 15 October 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

**GRIEVANCES** — *Debate on the question* — That grievances be noted

**STATEMENTS ON COMMITTEE REPORTS** — *Pursuant to Sessional Order 17*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **\*ANIMALS LEGISLATION (ANIMAL WELFARE) BILL** — Second reading.
- 2 **\*LOCAL GOVERNMENT (DEMOCRATIC REFORM) BILL** — Second reading.
- 3 **\*VICTORIAN CURRICULUM AND ASSESSMENT AUTHORITY (AMENDMENT) BILL**  
— Second reading.
- 4 **WATER LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate (Ms Lindell).*
- 5 **ROYAL BOTANIC GARDENS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 6 **SCOTS' CHURCH PROPERTIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 7 **TRAVEL AGENTS (AMENDMENT) BILL** — *(from Council)* — Second reading — *Resumption of debate (Mr Kotsiras).*
- 8 **EDUCATION (WORKPLACE LEARNING) BILL** — *Resumption of debate 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 House refuses to read this Bill a second time until consultation has taken place with key stakeholders including parents, students, principals, teachers and employer groups concerning the educational, social and economic costs and benefits of clauses 8 and 10' *(Mr Herbert).*

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\* New entry.

- 9 **EDUCATION LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Honeywood)*.
- 10 **\*UNCLAIMED MONEYS (AMENDMENT) BILL** — Second reading.
- 11 **\*STATE TAXATION ACTS (FURTHER MISCELLANEOUS AMENDMENTS) BILL** — Second reading.
- 12 **\*PROFESSIONAL STANDARDS BILL** — Second reading.
- 13 **\*FAIR TRADING (FURTHER AMENDMENT) BILL** — Second reading.
- 14 **\*ACCIDENT COMPENSATION AND TRANSPORT ACCIDENT ACTS (AMENDMENT) BILL** — Second reading.
- 15 **\*EMERALD TOURIST RAILWAY (AMENDMENT) BILL** — Second reading.
- 16 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 17 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;

- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust

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- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria’s precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT’s reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT’s operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria’s expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State’s Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.

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- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.

- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State

- Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;

- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.

- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: 'it is important that

workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.

- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.

- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.

- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to

reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive

maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.

- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.

- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.
- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria’s rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government’.
- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.
- 101 **\*MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his deliberate avoidance of parliamentary scrutiny in that he proposed enhanced levy performance indicators for the previous Minister for Manufacturing Industry, the Hon Rob Hulls, MP, yet upon his own appointment as Minister, he informed the Public Accounts and Estimates Committee that he is not prepared to accept the increased level of parliamentary scrutiny he advocated for the previous Minister.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).

- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Naphthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).

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- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (27 August 2003) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (27, 28 August and 18 September 2003) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (27 August 2003) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (27 August 2003) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (27 August 2003) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (28 August 2003) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (28 August 2003) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (16 September 2003) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (16 September 2003) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (16 September 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (16 September and 8 October 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).

- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS** — Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).

- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (7 October 2003) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (7 and 8 October 2003) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).
- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (8 October 2003) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).

## BUSINESS LISTED FOR FUTURE DAYS

### WEDNESDAY 22 OCTOBER 2003

#### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **EXTRACTIVE INDUSTRIES DEVELOPMENT (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine)*.
- 2 **PORT SERVICES (PORT MANAGEMENT REFORM) BILL** — Second reading — *Resumption of debate (Dr Naphthine)*.
- 3 **TRANSPORT (RIGHTS AND RESPONSIBILITIES) BILL** — Second reading — *Resumption of debate (Mr Mulder)*.

### THURSDAY 23 OCTOBER 2003

#### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **ROAD SAFETY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Mulder)*.
- 2 **ELECTORAL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.

- 3 **RESIDENTIAL TENANCIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003 AND AMENDED 16 SEPTEMBER 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

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**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

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**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the period 6 to 17 October 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 34

**Thursday 16 October 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **EMERALD TOURIST RAILWAY (AMENDMENT) BILL** — Second reading.
- 2 **FAIR TRADING (FURTHER AMENDMENT) BILL** — Second reading.
- 3 **UNCLAIMED MONEYS (AMENDMENT) BILL** — Second reading.
- 4 **STATE TAXATION ACTS (FURTHER MISCELLANEOUS AMENDMENTS) BILL** — Second reading.
- 5 **PROFESSIONAL STANDARDS BILL** — Second reading.
- 6 **EDUCATION LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 7 **EDUCATION (WORKPLACE LEARNING) BILL** — *Resumption of debate 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 House refuses to read this Bill a second time until consultation has taken place with key stakeholders including parents, students, principals, teachers and employer groups concerning the educational, social and economic costs and benefits of clauses 8 and 10’ (Mr Herbert).*
- 8 **WATER LEGISLATION (AMENDMENT) BILL** — Second reading — *Resumption of debate.*
- 9 **ROYAL BOTANIC GARDENS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Ms Beattie).*
- 10 **ACCIDENT COMPENSATION AND TRANSPORT ACCIDENT ACTS (AMENDMENT) BILL** — Second reading.
- 11 **CRIMES (STALKING) BILL** — To be further considered in Committee.

12 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.**GENERAL BUSINESS****NOTICES OF MOTION**1 **MR DOYLE** — To move, That —

- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;

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- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision

of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.

- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.

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- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP’s election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.

- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the

practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;

- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
- (c) The Committee has the power to send for persons, papers and records;
- (d) The Committee shall elect one of its members to be Chair;
- (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) Five members of the Committee to be the quorum;
- (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) The Committee shall sit on days on which both Houses do not meet;
- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.

- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government’s 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.

- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of

embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.

- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.

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- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.

- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning 'deliberately' misled this House and the people of Victoria on 6 and 8 May 2003.

- 81 **DR NAPTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government's own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government's home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words 'urgently needed' new relocatable classrooms for Victoria's schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long

problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.

- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.

- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria’s rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government’.
- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.
- 101 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his deliberate avoidance of parliamentary scrutiny in that he proposed enhanced key performance indicators for the previous Minister for Manufacturing Industry, the Hon Rob Hulls, MP, yet upon his own appointment as Minister, he informed the Public Accounts and Estimates Committee that he is not prepared to accept the increased level of parliamentary scrutiny he advocated for the previous Minister.
- 102 \***MR INGRAM** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria and condemns the Federal Leader of the Nationals, the Hon John Anderson, MP for his comments accusing those who oppose the full sale of Telstra of spreading lies, misinformation and being scaremongers, when 80 per cent of the constituents of Gippsland East are opposed to the full sale of Telstra; and (b) commends the Federal independent members Mr Peter Andren, MP, Mr Tony Windsor, MP and the Hon Bob Katter, MP for standing firm against any further sale.
- 103 \***MR SAVAGE** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria; and (b) commends the Federal Liberal Member for Hume, Mr Alby Schultz, for his strident opposition to the full sale of Telstra and his observation on the National Party when he said, ‘I abhor what the National Party stands for because it compromises itself at every opportunity’.
- 104 \***MR RYAN** — To move, That this House commends the policy of the Nationals at a Federal and State level that there be no further sale of the remaining public interest in Telstra unless and until appropriate levels of service are provided to rural and regional Australians.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).

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\* New entry.

- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Naphine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).

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- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
  - 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27, 28 August and 18 September 2003*) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
  - 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
  - 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
  - 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
  - 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
  - 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
  - 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (*16 September 2003*) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
  - 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (*16 September 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
  - 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
  - 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (*16 September and 8 October 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).

- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS** — Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).

- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (7 October 2003) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (7 and 8 October 2003) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).
- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (8 October 2003) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).
- 41 **\*DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland South (15 October 2003) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ryan*).
- 42 **\*AQUATIC CENTRE FOR FRANKSTON** — Petition presented by the Member for Frankston (15 October 2003) — Requesting the building of an aquatic centre in Frankston — To be considered (*Mr Harkness*).

## BUSINESS LISTED FOR FUTURE DAYS

### WEDNESDAY 22 OCTOBER 2003

#### GOVERNMENT BUSINESS

##### ORDERS OF THE DAY

- 1 **EXTRACTIVE INDUSTRIES DEVELOPMENT (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine)*.
- 2 **PORT SERVICES (PORT MANAGEMENT REFORM) BILL** — Second reading — *Resumption of debate (Dr Naphthine)*.
- 3 **TRANSPORT (RIGHTS AND RESPONSIBILITIES) BILL** — Second reading — *Resumption of debate (Mr Mulder)*.

### THURSDAY 23 OCTOBER 2003

#### GOVERNMENT BUSINESS

##### ORDERS OF THE DAY

- 1 **ROAD SAFETY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Mulder)*.

- 2 **ELECTORAL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 3 **RESIDENTIAL TENANCIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mrs Shardey)*.

**WEDNESDAY 29 OCTOBER 2003**

**GOVERNMENT BUSINESS**

**ORDERS OF THE DAY**

- 1 **ANIMALS LEGISLATION (ANIMAL WELFARE) BILL** — Second reading — *Resumption of debate (Dr Naphthine)*.
- 2 **LOCAL GOVERNMENT (DEMOCRATIC REFORM) BILL** — Second reading — *Resumption of debate (Mr Baillieu)*.
- 3 **VICTORIAN CURRICULUM AND ASSESSMENT AUTHORITY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Perton)*.

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003 AND AMENDED 16 SEPTEMBER 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|   |             |
|---|-------------|
| Mover .....                                     | unlimited   |
| Lead speaker in response from opposition .....  | 30 minutes* |
| Lead speaker in response from third party ..... | 20 minutes* |
| Any other member .....                          | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|   |            |
|---|------------|
| Mover .....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each ..... | 30 minutes |
| Lead speaker in response from third party .....                         | 20 minutes |
| Any other member .....  | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

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**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the period 6 to 17 October 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 35

**Tuesday 28 October 2003**  
*The Speaker takes the Chair at 2.00 pm*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **PORT SERVICES (PORT MANAGEMENT REFORM) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 2 **TRANSPORT (RIGHTS AND RESPONSIBILITIES) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 3 **ROAD SAFETY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 4 **EXTRACTIVE INDUSTRIES DEVELOPMENT (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 5 **ELECTORAL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 6 **RESIDENTIAL TENANCIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 7 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 8 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

1 **MR DOYLE** — To move, That —

- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;

- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
 (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
 (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.

- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of

the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.

- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in

Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.

29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.

30 **MR RYAN** — To move, That —

- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings,

fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;

- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
- (c) The Committee has the power to send for persons, papers and records;
- (d) The Committee shall elect one of its members to be Chair;
- (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) Five members of the Committee to be the quorum;
- (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) The Committee shall sit on days on which both Houses do not meet;
- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.

33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for

more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.

- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which

were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.

- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in

response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.

- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.

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- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukranian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.

- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning 'deliberately' misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.

- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government's own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government's home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words 'urgently needed' new relocatable classrooms for Victoria's schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.

- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of Waltzing Matilda at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.
- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has

stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria's rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government'.

- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.
- 101 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his deliberate avoidance of parliamentary scrutiny in that he proposed enhanced key performance indicators for the previous Minister for Manufacturing Industry, the Hon Rob Hulls, MP, yet upon his own appointment as Minister, he informed the Public Accounts and Estimates Committee that he is not prepared to accept the increased level of parliamentary scrutiny he advocated for the previous Minister.
- 102 **MR INGRAM** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria and condemns the Federal Leader of the Nationals, the Hon John Anderson, MP for his comments accusing those who oppose the full sale of Telstra of spreading lies, misinformation and being scaremongers, when 80 per cent of the constituents of Gippsland East are opposed to the full sale of Telstra; and (b) commends the Federal independent members Mr Peter Andren, MP, Mr Tony Windsor, MP and the Hon Bob Katter, MP for standing firm against any further sale.
- 103 **MR SAVAGE** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria; and (b) commends the Federal Liberal Member for Hume, Mr Alby Schultz, for his strident opposition to the full sale of Telstra and his observation on the National Party when he said, 'I abhor what the National Party stands for because it compromises itself at every opportunity'.
- 104 **MR RYAN** — To move, That this House commends the policy of the Nationals at a Federal and State level that there be no further sale of the remaining public interest in Telstra unless and until appropriate levels of service are provided to rural and regional Australians.
- 105 \***MR HONEYWOOD** — To move, That this House condemns the Treasurer for — (a) misleading the people of Victoria regarding his and the Bracks Government's involvement in the national Strategic Investment Incentive Program when he claimed that other States and Christmas Island were receiving greater Federal Government hand-outs from this program than Victoria when the truth is that this funding program is based on applications sponsored by State and Territory Governments; and (b) applying for an embarrassingly low number of grants that amount to less than 10 per cent of the total funding applications nationwide.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

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\* New entry.

- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (27 March 2003) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (30 April 2003) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (1 May 2003 and 16 September 2003) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Naphine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (8 May 2003) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (20 May 2003) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (20 May 2003) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (3 June 2003) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (4 June 2003) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (4 June 2003) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (5 June 2003) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).

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- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27, 28 August and 18 September 2003*) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (*16 September 2003*) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (*16 September 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).

- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (*16 September and 8 October 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **\*PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September and 16 October 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS** — Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).

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- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).
- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (*7 October 2003*) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (*7 and 8 October 2003*) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).
- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (*8 October 2003*) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).
- 41 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland South (*15 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ryan*).
- 42 **AQUATIC CENTRE FOR FRANKSTON** — Petition presented by the Member for Frankston (*15 October 2003*) — Requesting the building of an aquatic centre in Frankston — To be considered (*Mr Harkness*).
- 43 **\*HOUSING RENTAL REBATE POLICY** — Petition presented by the Member for Mildura (*16 October 2003*) — Relating to amending the rental rebate policy so that all public housing tenants will pay the rebate rent at the rate of 23 per cent of total household income — To be considered (*Mr Savage*).
- 44 **\*CUTS TO COMMUNITY SERVICES** — Petition presented by the Member for Mildura (*16 October 2003*) — Relating to exempting community services such as family support, children's services, services to people with disabilities, alcohol and drug counselling services and housing support, from planned cuts — To be considered (*Mr Savage*).
- 45 **\*FUNDING FOR STUDENTS ON DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Forest Hill (*16 October 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Perton*).

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**BUSINESS LISTED FOR FUTURE DAYS****WEDNESDAY 29 OCTOBER 2003****GOVERNMENT BUSINESS****ORDERS OF THE DAY**

- 1 **ANIMALS LEGISLATION (ANIMAL WELFARE) BILL** — Second reading — *Resumption of debate (Dr Naphine).*
- 2 **LOCAL GOVERNMENT (DEMOCRATIC REFORM) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 3 **VICTORIAN CURRICULUM AND ASSESSMENT AUTHORITY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Perton).*

**THURSDAY 30 OCTOBER 2003****GOVERNMENT BUSINESS****ORDERS OF THE DAY**

- 1 **EMERALD TOURIST RAILWAY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 2 **FAIR TRADING (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 3 **UNCLAIMED MONEYS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 4 **STATE TAXATION ACTS (FURTHER MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 5 **PROFESSIONAL STANDARDS BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 6 **ACCIDENT COMPENSATION AND TRANSPORT ACCIDENT ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

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**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|   |             |
|---|-------------|
| Mover .....                                     | unlimited   |
| Lead speaker in response from opposition .....  | 30 minutes* |
| Lead speaker in response from third party ..... | 20 minutes* |
| Any other member .....                          | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|   |            |
|---|------------|
| Mover .....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each ..... | 30 minutes |
| Lead speaker in response from third party .....                         | 20 minutes |
| Any other member .....  | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 36

**Wednesday 29 October 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

**MATTER OF PUBLIC IMPORTANCE** — *Discussion on Matter*

**STATEMENTS ON COMMITTEE REPORTS** — *Pursuant to Sessional Order 17*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 \***FISHERIES (FURTHER AMENDMENT) BILL** — Second reading.
- 2 \***WRONGS (REMARRIAGE DISCOUNT) BILL** — Second reading.
- 3 \***HEALTH LEGISLATION (FURTHER AMENDMENT) BILL** — Second reading.
- 4 **RESIDENTIAL TENANCIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 5 **VICTORIAN CURRICULUM AND ASSESSMENT AUTHORITY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 6 **ANIMALS LEGISLATION (ANIMAL WELFARE) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 7 **LOCAL GOVERNMENT (DEMOCRATIC REFORM) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 8 **ELECTORAL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Cooper).*
- 9 \***CEMETERIES AND CREMATORIA BILL — AMENDMENTS OF THE LEGISLATIVE COUNCIL** — To be considered.

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\* New entry.

- 10 **\*CHILD EMPLOYMENT BILL — AMENDMENTS OF THE LEGISLATIVE COUNCIL —**  
To be considered.
- 11 **\*ROAD SAFETY (DRUG DRIVING) BILL —** Second reading.
- 12 **\*FORESTS AND NATIONAL PARKS ACTS (AMENDMENT) BILL —** Second reading.
- 13 **\*WRONGS AND OTHER ACTS (LAW OF NEGLIGENCE) BILL —** Second reading.
- 14 **\*PARTNERSHIP (VENTURE CAPITAL FUNDS) BILL —** Second reading.
- 15 **TRANSPORT (RIGHTS AND RESPONSIBILITIES) BILL —** Second reading —  
*Resumption of debate (Mr Mulder).*
- 16 **ROAD SAFETY (AMENDMENT) BILL —** Second reading — *Resumption of debate*  
*(Mr Mulder).*
- 17 **CRIMES (STALKING) BILL —** To be further considered in Committee.
- 18 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL —** Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE —** To move, That —
  - (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
  - (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;

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- (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;
  - (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
  - (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
  - 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
  - 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust

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- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria’s precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT’s reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT’s operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria’s expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State’s Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.

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- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.

- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State

- Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;

- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.

- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: 'it is important that

workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.

- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.

- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.

- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to

reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive

maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.

- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.

- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.
- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria’s rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government’.
- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.
- 101 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his deliberate avoidance of parliamentary scrutiny in that he proposed enhanced key performance indicators for the previous Minister for Manufacturing Industry, the Hon Rob Hulls, MP, yet upon his own appointment as Minister, he informed the Public Accounts and Estimates Committee that he is not prepared to accept the increased level of parliamentary scrutiny he advocated for the previous Minister.
- 102 **MR INGRAM** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria and condemns the Federal Leader of the Nationals, the Hon John Anderson, MP for his comments accusing those who oppose the full sale of Telstra of spreading lies, misinformation and being scaremongers, when 80 per cent of the constituents of Gippsland East are opposed to the full sale of Telstra; and (b) commends the Federal independent members Mr Peter Andren, MP, Mr Tony Windsor, MP and the Hon Bob Katter, MP for standing firm against any further sale.
- 103 **MR SAVAGE** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria; and (b) commends the Federal Liberal Member for Hume, Mr Alby Schultz, for his strident opposition to the full sale of Telstra and his observation on the National Party when he said, ‘I abhor what the National Party stands for because it compromises itself at every opportunity’.

- 104 **MR RYAN** — To move, That this House commends the policy of the Nationals at a Federal and State level that there be no further sale of the remaining public interest in Telstra unless and until appropriate levels of service are provided to rural and regional Australians.
- 105 **MR HONEYWOOD** — To move, That this House condemns the Treasurer for — (a) misleading the people of Victoria regarding his and the Bracks Government's involvement in the national Strategic Investment Incentive Program when he claimed that other States and Christmas Island were receiving greater Federal Government hand-outs from this program than Victoria when the truth is that this funding program is based on applications sponsored by State and Territory Governments; and (b) applying for an embarrassingly low number of grants that amount to less than 10 per cent of the total funding applications nationwide.
- 106 \***MR RYAN** — To move, That the Standing Orders Committee considers and recommends amendments to the standing orders and /or the sessional orders of this Parliament to facilitate the establishment of a system of mediation of those occasional disputes which may arise between members, such mediation process to be a compulsory precursor to the reference of any such disputes to any other form of determination, on the basis that the introduction of such a system would be entirely in keeping with similar structures that apply in most other community and legal forums, and would represent a practical and a preferable option to alternative avenues such as reference to the Privileges Committee which was never designed or referenced to deal with matters of this nature.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).

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- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27, 28 August and 18 September 2003*) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).

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- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (*16 September 2003*) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (*16 September 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (*16 September and 8 October 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).

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- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September and 16 October 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS**— Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).
- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (*7 October 2003*) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (*7 and 8 October 2003*) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).
- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (*8 October 2003*) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).

- 41 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland South (15 October 2003) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (Mr Ryan).
- 42 **AQUATIC CENTRE FOR FRANKSTON** — Petition presented by the Member for Frankston (15 October 2003) — Requesting the building of an aquatic centre in Frankston — To be considered (Mr Harkness).
- 43 **HOUSING RENTAL REBATE POLICY** — Petition presented by the Member for Mildura (16 October 2003) — Relating to amending the rental rebate policy so that all public housing tenants will pay the rebate rent at the rate of 23 per cent of total household income — To be considered (Mr Savage).
- 44 **CUTS TO COMMUNITY SERVICES** — Petition presented by the Member for Mildura (16 October 2003) — Relating to exempting community services such as family support, children's services, services to people with disabilities, alcohol and drug counselling services and housing support, from planned cuts — To be considered (Mr Savage).
- 45 **FUNDING FOR STUDENTS ON DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Forest Hill (16 October 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (Mr Perton).
- 46 **\*VICTORIAN SCHOOL OF LANGUAGES AT FOUNTAIN GATE** — Petition presented by the Member for Cranbourne (28 October 2003) — Requesting that the Victorian School of Languages at Fountain Gate not be relocated at Lyndale Secondary College, North Dandenong — To be considered (Mr Perton).

## BUSINESS LISTED FOR FUTURE DAY

THURSDAY 30 OCTOBER 2003

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **EMERALD TOURIST RAILWAY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 2 **FAIR TRADING (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 3 **UNCLAIMED MONEYS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 4 **STATE TAXATION ACTS (FURTHER MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Clark).*

- 5 **PROFESSIONAL STANDARDS BILL** — Second reading — *Resumption of debate (Mr Clark)*.
- 6 **ACCIDENT COMPENSATION AND TRANSPORT ACCIDENT ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member’s conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover .....                                    | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister’s time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover .....  | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**\*DIVISIONS** — *Sessional Order 19*  
*[Procedure applies for the remainder of 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 37

**Thursday 30 October 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **CEMETERIES AND CREMATORIA BILL — AMENDMENTS OF THE LEGISLATIVE COUNCIL** — To be considered.
- 2 **CHILD EMPLOYMENT BILL — AMENDMENTS OF THE LEGISLATIVE COUNCIL** — To be considered.
- 3 **ELECTORAL (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Cooper)*.
- 4 **LOCAL GOVERNMENT (DEMOCRATIC REFORM) BILL** — *Resumption of debate 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 House refuses to read this Bill a second time until there has been an independent and objective review of the costs and benefits arising from the introduction of proportional representation to multi-member ward municipalities and un-subdivided municipalities’ (*Mr Savage*).
- 5 **RESIDENTIAL TENANCIES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Leighton)*.
- 6 **ANIMALS LEGISLATION (ANIMAL WELFARE) BILL** — To be further considered in Committee.
- 7 **FORESTS AND NATIONAL PARKS ACTS (AMENDMENT) BILL** — Second reading.
- 8 **ROAD SAFETY (DRUG DRIVING) BILL** — Second reading.
- 9 **WRONGS AND OTHER ACTS (LAW OF NEGLIGENCE) BILL** — Second reading.

- 10 **\*ANZAC DAY (AMENDMENT) BILL** — Second reading.
- 11 **PARTNERSHIP (VENTURE CAPITAL FUNDS) BILL** — Second reading.
- 12 **EMERALD TOURIST RAILWAY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 13 **FAIR TRADING (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 14 **STATE TAXATION ACTS (FURTHER MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 15 **ROAD SAFETY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 16 **PROFESSIONAL STANDARDS BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 17 **ACCIDENT COMPENSATION AND TRANSPORT ACCIDENT ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 18 **TRANSPORT (RIGHTS AND RESPONSIBILITIES) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 19 **UNCLAIMED MONEYS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 20 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 21 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks;

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\* New entry.

- (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;
  - (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
  - (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water

resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.

- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, That this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to

Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.

- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based

- National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;

- (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) The Committee shall sit on days on which both Houses do not meet;
- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.

33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.

34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.

35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.

- 36 **DR NAPTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.

- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.

- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.

- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its

application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.

- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the ‘no tolling Scoresby Freeway’ public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the

initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.

- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia’s mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at

the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.

- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.
- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria’s rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government’.
- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.
- 101 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his deliberate avoidance of parliamentary scrutiny in that he proposed enhanced key performance indicators for the previous Minister for Manufacturing Industry, the Hon Rob Hulls, MP, yet upon his own appointment as Minister, he informed the Public Accounts and Estimates Committee that he is not prepared to accept the increased level of parliamentary scrutiny he advocated for the previous Minister.
- 102 **MR INGRAM** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria and condemns the Federal Leader of the

Nationals, the Hon John Anderson, MP for his comments accusing those who oppose the full sale of Telstra of spreading lies, misinformation and being scaremongers, when 80 per cent of the constituents of Gippsland East are opposed to the full sale of Telstra; and (b) commends the Federal independent members Mr Peter Andren, MP, Mr Tony Windsor, MP and the Hon Bob Katter, MP for standing firm against any further sale.

- 103 **MR SAVAGE** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria; and (b) commends the Federal Liberal Member for Hume, Mr Alby Schultz, for his strident opposition to the full sale of Telstra and his observation on the National Party when he said, ‘I abhor what the National Party stands for because it compromises itself at every opportunity’.
- 104 **MR RYAN** — To move, That this House commends the policy of the Nationals at a Federal and State level that there be no further sale of the remaining public interest in Telstra unless and until appropriate levels of service are provided to rural and regional Australians.
- 105 **MR HONEYWOOD** — To move, That this House condemns the Treasurer for — (a) misleading the people of Victoria regarding his and the Bracks Government’s involvement in the national Strategic Investment Incentive Program when he claimed that other States and Christmas Island were receiving greater Federal Government hand-outs from this program than Victoria when the truth is that this funding program is based on applications sponsored by State and Territory Governments; and (b) applying for an embarrassingly low number of grants that amount to less than 10 per cent of the total funding applications nationwide.
- 106 **MR RYAN** — To move, That the Standing Orders Committee considers and recommends amendments to the standing orders and /or the sessional orders of this Parliament to facilitate the establishment of a system of mediation of those occasional disputes which may arise between members, such mediation process to be a compulsory precursor to the reference of any such disputes to any other form of determination, on the basis that the introduction of such a system would be entirely in keeping with similar structures that apply in most other community and legal forums, and would represent a practical and a preferable option to alternative avenues such as reference to the Privileges Committee which was never designed or referenced to deal with matters of this nature.
- 107 **\*MR CLARK** — To move, That this House deplores the false claim by the Treasurer in question time yesterday that the former government could never cut payroll tax, when in fact the former government cut payroll tax on three separate occasions with an overall reduction in the rate of tax from 7 per cent to 5¾ per cent, and calls on the Treasurer to correct his statement in accordance with the established practices of the House.
- 108 **\*MR MULDER** — To move, That this House — (a) condemns the Minister for Transport for his cowardly and misleading attack on the City of Knox, claiming that the City of Knox were law breakers and had placed ‘No Tolls’ signs on a declared road network, as since this outrageous claim was made by the Minister in this House, VicRoads have found that the ‘No Tolls’ bill board was in fact not on the road reserve and the City of Knox had not broken the law; and (b) eagerly awaits the Minister for Transport’s personal explanation and full apology to the City of Knox.
- 109 **\*MR INGRAM** — To move, That this House takes note of the comments on the adjournment debate of 28 October 2003 by the Leader of the Upper House in the other place, the Hon John Lenders, when he, in commenting about a recent visit to the electorate office of Bass, stated a number of constituents were pining for the days when the former Member for Gippsland

West was their local member, because she did a much better job than the current Member for Bass who they now never see or hear of.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).

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- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27, 28 August and 18 September 2003*) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **\*MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August and 29 October 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).

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- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (*16 September 2003*) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (*16 September 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (*16 September and 8 October 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September and 16 October 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS** — Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public

transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).

- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).
- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (*7 October 2003*) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (*7 and 8 October 2003*) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).
- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (*8 October 2003*) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).
- 41 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland South (*15 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ryan*).
- 42 **AQUATIC CENTRE FOR FRANKSTON** — Petition presented by the Member for Frankston (*15 October 2003*) — Requesting the building of an aquatic centre in Frankston — To be considered (*Mr Harkness*).
- 43 **HOUSING RENTAL REBATE POLICY** — Petition presented by the Member for Mildura (*16 October 2003*) — Relating to amending the rental rebate policy so that all public housing tenants will pay the rebate rent at the rate of 23 per cent of total household income — To be considered (*Mr Savage*).
- 44 **CUTS TO COMMUNITY SERVICES** — Petition presented by the Member for Mildura (*16 October 2003*) — Relating to exempting community services such as family support, children's services, services to people with disabilities, alcohol and drug counselling services and housing support, from planned cuts — To be considered (*Mr Savage*).

- 45 **FUNDING FOR STUDENTS ON DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Forest Hill (*16 October 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Perton*).
- 46 **VICTORIAN SCHOOL OF LANGUAGES AT FOUNTAIN GATE** — Petition presented by the Member for Cranbourne (*28 October 2003*) — Requesting that the Victorian School of Languages at Fountain Gate not be relocated at Lyndale Secondary College, North Dandenong — To be considered (*Mr Perton*).
- 47 \***'THE GAP' CAMPING GROUND AT WARATAH BAY** — Petition presented by the Member for Gippsland South (*29 October 2003*) — Relating to retaining 'The Gap' camping ground at Waratah Bay — To be considered (*Mr Ryan*).

## BUSINESS LISTED FOR FUTURE DAY

WEDNESDAY 12 NOVEMBER 2003

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **FISHERIES (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate* (*Dr Naphine*).
- 2 **WRONGS (REMARRIAGE DISCOUNT) BILL** — Second reading — *Resumption of debate* (*Mr McIntosh*).
- 3 **HEALTH LEGISLATION (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate* (*Mrs Shardey*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the remainder of 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 38

**Wednesday 5 November 2003**

*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

**MATTER OF PUBLIC IMPORTANCE** — *Discussion on Matter*

**STATEMENTS ON COMMITTEE REPORTS** — *Pursuant to Sessional Order 17*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **EMERALD TOURIST RAILWAY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Baillieu).*
- 2 **FAIR TRADING (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 3 **STATE TAXATION ACTS (FURTHER MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 4 **ROAD SAFETY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 5 **PROFESSIONAL STANDARDS BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 6 **ACCIDENT COMPENSATION AND TRANSPORT ACCIDENT ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 7 **TRANSPORT (RIGHTS AND RESPONSIBILITIES) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 8 **UNCLAIMED MONEYS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 9 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 10 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

1 **MR DOYLE** — To move, That —

- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;

- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
(a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
(b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.

- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of

the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.

- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in

Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.

29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.

30 **MR RYAN** — To move, That —

- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings,

fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;

- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
- (c) The Committee has the power to send for persons, papers and records;
- (d) The Committee shall elect one of its members to be Chair;
- (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) Five members of the Committee to be the quorum;
- (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) The Committee shall sit on days on which both Houses do not meet;
- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.

33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for

more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.

- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which

were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.

- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in

response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.

- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.

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- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukranian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.

- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning 'deliberately' misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.

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- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government's own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government's home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words 'urgently needed' new relocatable classrooms for Victoria's schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.

- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of Waltzing Matilda at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.
- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has

stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria's rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government'.

- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.
- 101 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his deliberate avoidance of parliamentary scrutiny in that he proposed enhanced key performance indicators for the previous Minister for Manufacturing Industry, the Hon Rob Hulls, MP, yet upon his own appointment as Minister, he informed the Public Accounts and Estimates Committee that he is not prepared to accept the increased level of parliamentary scrutiny he advocated for the previous Minister.
- 102 **MR INGRAM** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria and condemns the Federal Leader of the Nationals, the Hon John Anderson, MP for his comments accusing those who oppose the full sale of Telstra of spreading lies, misinformation and being scaremongers, when 80 per cent of the constituents of Gippsland East are opposed to the full sale of Telstra; and (b) commends the Federal independent members Mr Peter Andren, MP, Mr Tony Windsor, MP and the Hon Bob Katter, MP for standing firm against any further sale.
- 103 **MR SAVAGE** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria; and (b) commends the Federal Liberal Member for Hume, Mr Alby Schultz, for his strident opposition to the full sale of Telstra and his observation on the National Party when he said, 'I abhor what the National Party stands for because it compromises itself at every opportunity'.
- 104 **MR RYAN** — To move, That this House commends the policy of the Nationals at a Federal and State level that there be no further sale of the remaining public interest in Telstra unless and until appropriate levels of service are provided to rural and regional Australians.
- 105 **MR HONEYWOOD** — To move, That this House condemns the Treasurer for — (a) misleading the people of Victoria regarding his and the Bracks Government's involvement in the national Strategic Investment Incentive Program when he claimed that other States and Christmas Island were receiving greater Federal Government hand-outs from this program than Victoria when the truth is that this funding program is based on applications sponsored by State and Territory Governments; and (b) applying for an embarrassingly low number of grants that amount to less than 10 per cent of the total funding applications nationwide.
- 106 **MR RYAN** — To move, That the Standing Orders Committee considers and recommends amendments to the standing orders and /or the sessional orders of this Parliament to facilitate the establishment of a system of mediation of those occasional disputes which may arise between members, such mediation process to be a compulsory precursor to the reference of any such disputes to any other form of determination, on the basis that the introduction of such a system would be entirely in keeping with similar structures that apply in most other community and legal forums, and would represent a practical and a preferable option to alternative avenues such as reference to the Privileges Committee which was never designed or referenced to deal with matters of this nature.

- 107 **MR CLARK** — To move, That this House deplores the false claim by the Treasurer in question time yesterday that the former government could never cut payroll tax, when in fact the former government cut payroll tax on three separate occasions with an overall reduction in the rate of tax from 7 per cent to 5¾ per cent, and calls on the Treasurer to correct his statement in accordance with the established practices of the House.
- 108 **MR MULDER** — To move, That this House — (a) condemns the Minister for Transport for his cowardly and misleading attack on the City of Knox, claiming that the City of Knox were law breakers and had placed ‘No Tolls’ signs on a declared road network, as since this outrageous claim was made by the Minister in this House, VicRoads have found that the ‘No Tolls’ bill board was in fact not on the road reserve and the City of Knox had not broken the law; and (b) eagerly awaits the Minister for Transport’s personal explanation and full apology to the City of Knox.
- 109 **MR INGRAM** — To move, That this House takes note of the comments on the adjournment debate of 28 October 2003 by the Leader of the Upper House in the other place, the Hon John Lenders, when he, in commenting about a recent visit to the electorate office of Bass, stated a number of constituents were pining for the days when the former Member for Gippsland West was their local member, because she did a much better job than the current Member for Bass who they now never see or hear of.
- 110 **\*MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Drugs and Crime Prevention Committee to stand up to the Premier’s outrageous ‘Guidelines for Submissions and Responses to Inquiries’ that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members’ responsibilities to this Parliament’s independent committee work.
- 111 **\*MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Economic Development Committee to stand up to the Premier’s outrageous ‘Guidelines for Submissions and Responses to Inquiries’ that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members’ responsibilities to this Parliament’s independent committee work.
- 112 **\*MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Law Reform Committee to stand up to the Premier’s outrageous ‘Guidelines for Submissions and Responses to Inquiries’ that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members’ responsibilities to this Parliament’s independent committee work.

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\* New entry.

- 113 \***MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Environment and Natural Resources Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 114 \***MR McINTOSH** — To move, That the Premier urgently gives a reference to the Scrutiny of Acts and Regulations Committee to inquire into whether the Department of Premier and Cabinet's 'Guidelines for Submissions and Responses to Inquiries' unduly trespasses upon the rights and freedoms of the Parliament of Victoria or insufficiently subjects the Bracks Government to proper parliamentary scrutiny.
- 115 \***MR KOTSIRAS** — To move, That this House calls on the Chair and other Government members of the all-party Education and Training Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 116 \***MRS SHARDEY** — To move, That this House calls on the Chair and other Government members of the all-party Family and Community Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 117 \***MR SMITH** — To move, That this House calls on the Chair and other Government members of the all-party House Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 118 \***MR MULDER** — To move, That this House calls on the Chair and other Government members of the all-party Road Safety Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 119 \***MR DIXON** — To move, That this House calls on the Chair and other Government members of the all-party Outer Suburban/Interface Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now

required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

- 120 **\*DR NAPHTHINE** — To move, That this House calls on the Chair and other Government members of the all-party Rural and Regional Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 121 **\*MR PERTON** — To move, That this House calls on the Chair and other Government members of the all-party Public Accounts and Estimates Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 122 **\*MR LANGDON** — To move, That this House congratulates the members of the Library Committee for refusing to play stupid political games.
- 123 **\*MR STENSHOLT** — To move, That the Opposition be condemned for not being willing to stand up for anything when it comes to parliamentary committees but being only willing to read out parrot-like.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Naphthine*).

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- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
  - 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
  - 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
  - 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
  - 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
  - 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
  - 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
  - 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
  - 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
  - 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
  - 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).

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- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (27, 28 August and 18 September 2003) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (27 August 2003) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (27 August 2003) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (27 August 2003) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (28 August and 29 October 2003) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (28 August 2003) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (16 September 2003) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (16 September 2003) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (16 September 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (16 September and 8 October 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (16 September 2003) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).

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- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September and 16 October 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS** — Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).

- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (7 October 2003) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (7 and 8 October 2003) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).
- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (8 October 2003) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).
- 41 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland South (15 October 2003) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ryan*).
- 42 **AQUATIC CENTRE FOR FRANKSTON** — Petition presented by the Member for Frankston (15 October 2003) — Requesting the building of an aquatic centre in Frankston — To be considered (*Mr Harkness*).
- 43 **HOUSING RENTAL REBATE POLICY** — Petition presented by the Member for Mildura (16 October 2003) — Relating to amending the rental rebate policy so that all public housing tenants will pay the rebate rent at the rate of 23 per cent of total household income — To be considered (*Mr Savage*).
- 44 **CUTS TO COMMUNITY SERVICES** — Petition presented by the Member for Mildura (16 October 2003) — Relating to exempting community services such as family support, children's services, services to people with disabilities, alcohol and drug counselling services and housing support, from planned cuts — To be considered (*Mr Savage*).
- 45 **FUNDING FOR STUDENTS ON DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Forest Hill (16 October 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Perton*).
- 46 **VICTORIAN SCHOOL OF LANGUAGES AT FOUNTAIN GATE** — Petition presented by the Member for Cranbourne (28 October 2003) — Requesting that the Victorian School of Languages at Fountain Gate not be relocated at Lyndale Secondary College, North Dandenong — To be considered (*Mr Perton*).
- 47 **'THE GAP' CAMPING GROUND AT WARATAH BAY** — Petition presented by the Member for Gippsland South (29 October 2003) — Relating to retaining 'The Gap' camping ground at Waratah Bay — To be considered (*Mr Ryan*).
- 48 **\*KNOX CITY COUNCIL** — Petition presented by the Member for Bayswater (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Lockwood*).

- 49 **\*KNOX CITY COUNCIL** — Petition presented by the Member for Burwood (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Stensholt*).
- 50 **\*KNOX CITY COUNCIL** — Petition presented by the Member for Evelyn (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms McTaggart*).
- 51 **\*KNOX CITY COUNCIL** — Petition presented by the Member for Ferntree Gully (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Eckstein*).
- 52 **\*KNOX CITY COUNCIL** — Petition presented by the Member for Yan Yean (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Green*).
- 53 **\*KNOX CITY COUNCIL** — Petition presented by the Member for Kilsyth (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Beard*).
- 54 **\*KNOX CITY COUNCIL** — Petition presented by the Member for Monbulk (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Merlino*).

## BUSINESS LISTED FOR FUTURE DAYS

### WEDNESDAY 12 NOVEMBER 2003

#### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **FISHERIES (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate* (*Dr Napthine*).
- 2 **WRONGS (REMARRIAGE DISCOUNT) BILL** — Second reading — *Resumption of debate* (*Mr McIntosh*).
- 3 **HEALTH LEGISLATION (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate* (*Mrs Shardey*).

### THURSDAY 13 NOVEMBER 2003

#### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **FORESTS AND NATIONAL PARKS ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate* (*Mr Plowman*).

- 2 **ROAD SAFETY (DRUG DRIVING) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 3 **WRONGS AND OTHER ACTS (LAW OF NEGLIGENCE) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 4 **ANZAC DAY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 5 **PARTNERSHIP (VENTURE CAPITAL FUNDS) BILL** — Second reading — *Resumption of debate (Mr Kotsiras).*

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|   |             |
|---|-------------|
| Mover .....                                     | unlimited   |
| Lead speaker in response from opposition .....  | 30 minutes* |
| Lead speaker in response from third party ..... | 20 minutes* |
| Any other member .....                          | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|   |            |
|---|------------|
| Mover .....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each ..... | 30 minutes |
| Lead speaker in response from third party .....                         | 20 minutes |
| Any other member .....  | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

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**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the remainder of 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 39

**Thursday 6 November 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **ACCIDENT COMPENSATION AND TRANSPORT ACCIDENT ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Ryan).*
- 2 **FAIR TRADING (FURTHER AMENDMENT) BILL** — *Resumption of debate 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 House refuses to read this bill a second time until there has been an independent cost-benefit analysis of the bill’s impact on employment and investment in regional Victoria and until further consultation on employment and investment loss is undertaken with workers and businesses in this sector of the economy’ (*Mr Stensholt*).
- 3 **PROFESSIONAL STANDARDS BILL** — Second reading — *Resumption of debate (Mr Loney).*
- 4 **STATE TAXATION ACTS (FURTHER MISCELLANEOUS AMENDMENTS) BILL** — Second reading — *Resumption of debate (Mr Holding).*
- 5 **ROAD SAFETY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 6 **\*PARLIAMENTARY COMMITTEES BILL** — Second reading.
- 7 **\*GAMBLING REGULATION BILL** — Second reading.
- 8 **\*SHOP TRADING REFORM (SIMPLIFICATION) BILL** — Second reading.
- 9 **\*FIREARMS (AMENDMENT) BILL** — Second reading.

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\* New entry.

- 10 **\*CRIMES (MONEY LAUNDERING) BILL** — Second reading.
- 11 **TRANSPORT (RIGHTS AND RESPONSIBILITIES) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 12 **UNCLAIMED MONEYS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 13 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 14 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
  - (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;

- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
 (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
 (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a

continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.

- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.

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- 16 **MR PLOWMAN** — To move, That this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.

- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has

- had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;

(q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-

General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.

- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.

- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community's major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.

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- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.

- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

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- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.

- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.

- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.
- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria’s rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government’.
- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.
- 101 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his deliberate avoidance of parliamentary scrutiny in that he proposed enhanced key performance indicators for the previous Minister for Manufacturing Industry, the Hon Rob Hulls, MP, yet upon his own appointment as Minister, he informed the Public Accounts and Estimates Committee that he is not prepared to accept the increased level of parliamentary scrutiny he advocated for the previous Minister.
- 102 **MR INGRAM** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria and condemns the Federal Leader of the Nationals, the Hon John Anderson, MP for his comments accusing those who oppose the full sale of Telstra of spreading lies, misinformation and being scaremongers, when 80 per cent of the constituents of Gippsland East are opposed to the full sale of Telstra; and (b) commends the Federal independent members Mr Peter Andren, MP, Mr Tony Windsor, MP and the Hon Bob Katter, MP for standing firm against any further sale.
- 103 **MR SAVAGE** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria; and (b) commends the Federal Liberal Member for Hume, Mr Alby Schultz, for his strident opposition to the full sale of Telstra and his observation on the National Party when he said, ‘I abhor what the National Party stands for because it compromises itself at every opportunity’.
- 104 **MR RYAN** — To move, That this House commends the policy of the Nationals at a Federal and State level that there be no further sale of the remaining public interest in Telstra unless and until appropriate levels of service are provided to rural and regional Australians.

- 105 **MR HONEYWOOD** — To move, That this House condemns the Treasurer for — (a) misleading the people of Victoria regarding his and the Bracks Government's involvement in the national Strategic Investment Incentive Program when he claimed that other States and Christmas Island were receiving greater Federal Government hand-outs from this program than Victoria when the truth is that this funding program is based on applications sponsored by State and Territory Governments; and (b) applying for an embarrassingly low number of grants that amount to less than 10 per cent of the total funding applications nationwide.
- 106 **MR RYAN** — To move, That the Standing Orders Committee considers and recommends amendments to the standing orders and /or the sessional orders of this Parliament to facilitate the establishment of a system of mediation of those occasional disputes which may arise between members, such mediation process to be a compulsory precursor to the reference of any such disputes to any other form of determination, on the basis that the introduction of such a system would be entirely in keeping with similar structures that apply in most other community and legal forums, and would represent a practical and a preferable option to alternative avenues such as reference to the Privileges Committee which was never designed or referenced to deal with matters of this nature.
- 107 **MR CLARK** — To move, That this House deplores the false claim by the Treasurer in question time yesterday that the former government could never cut payroll tax, when in fact the former government cut payroll tax on three separate occasions with an overall reduction in the rate of tax from 7 per cent to 5¾ per cent, and calls on the Treasurer to correct his statement in accordance with the established practices of the House.
- 108 **MR MULDER** — To move, That this House — (a) condemns the Minister for Transport for his cowardly and misleading attack on the City of Knox, claiming that the City of Knox were law breakers and had placed 'No Tolls' signs on a declared road network, as since this outrageous claim was made by the Minister in this House, VicRoads have found that the 'No Tolls' bill board was in fact not on the road reserve and the City of Knox had not broken the law; and (b) eagerly awaits the Minister for Transport's personal explanation and full apology to the City of Knox.
- 109 **MR INGRAM** — To move, That this House takes note of the comments on the adjournment debate of 28 October 2003 by the Leader of the Upper House in the other place, the Hon John Lenders, when he, in commenting about a recent visit to the electorate office of Bass, stated a number of constituents were pining for the days when the former Member for Gippsland West was their local member, because she did a much better job than the current Member for Bass who they now never see or hear of.
- 110 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Drugs and Crime Prevention Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 111 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Economic Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government

members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

- 112 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Law Reform Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 113 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Environment and Natural Resources Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 114 **MR McINTOSH** — To move, That the Premier urgently gives a reference to the Scrutiny of Acts and Regulations Committee to inquire into whether the Department of Premier and Cabinet's 'Guidelines for Submissions and Responses to Inquiries' unduly trespasses upon the rights and freedoms of the Parliament of Victoria or insufficiently subjects the Bracks Government to proper parliamentary scrutiny.
- 115 **MR KOTSIRAS** — To move, That this House calls on the Chair and other Government members of the all-party Education and Training Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 116 **MRS SHARDEY** — To move, That this House calls on the Chair and other Government members of the all-party Family and Community Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 117 **MR SMITH** — To move, That this House calls on the Chair and other Government members of the all-party House Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority

submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

- 118 **MR MULDER** — To move, That this House calls on the Chair and other Government members of the all-party Road Safety Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 119 **MR DIXON** — To move, That this House calls on the Chair and other Government members of the all-party Outer Suburban/Interface Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 120 **DR NAPHTHINE** — To move, That this House calls on the Chair and other Government members of the all-party Rural and Regional Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 121 **MR PERTON** — To move, That this House calls on the Chair and other Government members of the all-party Public Accounts and Estimates Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 122 **MR LANGDON** — To move, That this House congratulates the members of the Library Committee for refusing to play stupid political games.
- 123 **MR STENSHOLT** — To move, That the Opposition be condemned for not being willing to stand up for anything when it comes to parliamentary committees but being only willing to read out parrot-like.
- 124 **\*DR NAPHTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for doing nothing whilst waiting lists and waiting times for essential public dental services in rural and regional Victoria have significantly increased; and (b) notes, in particular, that the Government has failed to act whilst waiting times for dentures and general dental care have now increased to more than four years in Warrnambool, Portland and Hamilton, causing serious pain and suffering to those in need of vital dental care.

125 \***MR INGRAM** — To move, That this House calls on the Government to endorse the continuation of game hunting and, in particular, duck shooting, as a legitimate sporting activity in Victoria due to its cultural significance and economic benefits to regional areas.

126 \***MR SAVAGE** — To move, That this House calls on the Government to commit to the 2004 duck season due to its cultural significance and economic benefits to Victoria.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).

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- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/ TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27, 28 August and 18 September 2003*) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August and 29 October 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).

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- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (*16 September 2003*) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (*16 September 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (*16 September and 8 October 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September and 16 October 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).

- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS**— Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).
- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (*7 October 2003*) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (*7 and 8 October 2003*) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).
- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (*8 October 2003*) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).
- 41 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland South (*15 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ryan*).
- 42 **AQUATIC CENTRE FOR FRANKSTON** — Petition presented by the Member for Frankston (*15 October 2003*) — Requesting the building of an aquatic centre in Frankston — To be considered (*Mr Harkness*).
- 43 **HOUSING RENTAL REBATE POLICY** — Petition presented by the Member for Mildura (*16 October 2003*) — Relating to amending the rental rebate policy so that all public housing tenants will pay the rebate rent at the rate of 23 per cent of total household income — To be considered (*Mr Savage*).

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- 44 **CUTS TO COMMUNITY SERVICES** — Petition presented by the Member for Mildura (16 October 2003) — Relating to exempting community services such as family support, children's services, services to people with disabilities, alcohol and drug counselling services and housing support, from planned cuts — To be considered (*Mr Savage*).
- 45 **FUNDING FOR STUDENTS ON DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Forest Hill (16 October 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Perton*).
- 46 **VICTORIAN SCHOOL OF LANGUAGES AT FOUNTAIN GATE** — Petition presented by the Member for Cranbourne (28 October 2003) — Requesting that the Victorian School of Languages at Fountain Gate not be relocated at Lyndale Secondary College, North Dandenong — To be considered (*Mr Perton*).
- 47 **'THE GAP' CAMPING GROUND AT WARATAH BAY** — Petition presented by the Member for Gippsland South (29 October 2003) — Relating to retaining 'The Gap' camping ground at Waratah Bay — To be considered (*Mr Ryan*).
- 48 **KNOX CITY COUNCIL** — Petition presented by the Member for Bayswater (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Lockwood*).
- 49 **KNOX CITY COUNCIL** — Petition presented by the Member for Burwood (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Stensholt*).
- 50 **KNOX CITY COUNCIL** — Petition presented by the Member for Evelyn (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms McTaggart*).
- 51 **KNOX CITY COUNCIL** — Petition presented by the Member for Ferntree Gully (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Eckstein*).
- 52 **KNOX CITY COUNCIL** — Petition presented by the Member for Yan Yean (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Green*).
- 53 **KNOX CITY COUNCIL** — Petition presented by the Member for Kilsyth (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Beard*).
- 54 **KNOX CITY COUNCIL** — Petition presented by the Member for Monbulk (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Merlino*).
- 55 **\*KYNETON-BENDIGO AND WATERGARDENS-BENDIGO RAIL TRACKS** — Petition presented by the Member for Ivanhoe (5 November 2003) — Relating to retaining the double rail track between Kyneton and Bendigo and ensuring that any sleepers ordered for the upgrading of the Watergardens to Bendigo rail line be capable of being gauge converted — To be considered (*Mr Mulder*).

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**BUSINESS LISTED FOR FUTURE DAYS****WEDNESDAY 12 NOVEMBER 2003****GOVERNMENT BUSINESS****ORDERS OF THE DAY**

- 1 **FISHERIES (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 2 **WRONGS (REMARRIAGE DISCOUNT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 3 **HEALTH LEGISLATION (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*

**THURSDAY 13 NOVEMBER 2003****GOVERNMENT BUSINESS****ORDERS OF THE DAY**

- 1 **FORESTS AND NATIONAL PARKS ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 2 **ROAD SAFETY (DRUG DRIVING) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 3 **WRONGS AND OTHER ACTS (LAW OF NEGLIGENCE) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 4 **ANZAC DAY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 5 **PARTNERSHIP (VENTURE CAPITAL FUNDS) BILL** — Second reading — *Resumption of debate (Mr Kotsiras).*

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003 AND AMENDED ON 16 SEPTEMBER AND 28 OCTOBER 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

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**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

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| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

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**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the remainder of 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 40

**Tuesday 18 November 2003**  
*The Speaker takes the Chair at 2.00 pm*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **CRIMES (STALKING) BILL** — To be further considered in Committee.
- 2 **TRANSPORT (RIGHTS AND RESPONSIBILITIES) BILL** — Second reading — *Resumption of debate (Mr Mulder).*
- 3 **HEALTH LEGISLATION (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate (Mrs Shardey).*
- 4 **FISHERIES (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 5 **FORESTS AND NATIONAL PARKS ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 6 **PARTNERSHIP (VENTURE CAPITAL FUNDS) BILL** — Second reading — *Resumption of debate (Mr Kotsiras).*
- 7 **ANZAC DAY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 8 **WRONGS AND OTHER ACTS (LAW OF NEGLIGENCE) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 9 **ROAD SAFETY (DRUG DRIVING) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 10 **WRONGS (REMARRIAGE DISCOUNT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 11 **UNCLAIMED MONEYS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*

12 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.**GENERAL BUSINESS****NOTICES OF MOTION**1 **MR DOYLE** — To move, That —

- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;

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- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
  - 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
  - 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
  - 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
  - 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
  - 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision

of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.

- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.

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- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP’s election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.

- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the

practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;

- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
- (c) The Committee has the power to send for persons, papers and records;
- (d) The Committee shall elect one of its members to be Chair;
- (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) Five members of the Committee to be the quorum;
- (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) The Committee shall sit on days on which both Houses do not meet;
- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.

- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.

- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of

embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.

- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.

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- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.

- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning 'deliberately' misled this House and the people of Victoria on 6 and 8 May 2003.

- 81 **DR NAPTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government's own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government's home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words 'urgently needed' new relocatable classrooms for Victoria's schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long

problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.

- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.

- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria’s rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government’.
- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.
- 101 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his deliberate avoidance of parliamentary scrutiny in that he proposed enhanced key performance indicators for the previous Minister for Manufacturing Industry, the Hon Rob Hulls, MP, yet upon his own appointment as Minister, he informed the Public Accounts and Estimates Committee that he is not prepared to accept the increased level of parliamentary scrutiny he advocated for the previous Minister.
- 102 **MR INGRAM** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria and condemns the Federal Leader of the Nationals, the Hon John Anderson, MP for his comments accusing those who oppose the full sale of Telstra of spreading lies, misinformation and being scaremongers, when 80 per cent of the constituents of Gippsland East are opposed to the full sale of Telstra; and (b) commends the Federal independent members Mr Peter Andren, MP, Mr Tony Windsor, MP and the Hon Bob Katter, MP for standing firm against any further sale.
- 103 **MR SAVAGE** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria; and (b) commends the Federal Liberal Member for Hume, Mr Alby Schultz, for his strident opposition to the full sale of Telstra and his observation on the National Party when he said, ‘I abhor what the National Party stands for because it compromises itself at every opportunity’.
- 104 **MR RYAN** — To move, That this House commends the policy of the Nationals at a Federal and State level that there be no further sale of the remaining public interest in Telstra unless and until appropriate levels of service are provided to rural and regional Australians.
- 105 **MR HONEYWOOD** — To move, That this House condemns the Treasurer for — (a) misleading the people of Victoria regarding his and the Bracks Government’s involvement in the national Strategic Investment Incentive Program when he claimed that other States and Christmas Island were receiving greater Federal Government hand-outs from this program than Victoria when the truth is that this funding program is based on applications sponsored by State and Territory Governments; and (b) applying for an embarrassingly low number of grants that amount to less than 10 per cent of the total funding applications nationwide.
- 106 **MR RYAN** — To move, That the Standing Orders Committee considers and recommends amendments to the standing orders and /or the sessional orders of this Parliament to facilitate the establishment of a system of mediation of those occasional disputes which may arise between members, such mediation process to be a compulsory precursor to the reference of any such

disputes to any other form of determination, on the basis that the introduction of such a system would be entirely in keeping with similar structures that apply in most other community and legal forums, and would represent a practical and a preferable option to alternative avenues such as reference to the Privileges Committee which was never designed or referenced to deal with matters of this nature.

- 107 **MR CLARK** — To move, That this House deplores the false claim by the Treasurer in question time yesterday that the former government could never cut payroll tax, when in fact the former government cut payroll tax on three separate occasions with an overall reduction in the rate of tax from 7 per cent to 5¾ per cent, and calls on the Treasurer to correct his statement in accordance with the established practices of the House.
- 108 **MR MULDER** — To move, That this House — (a) condemns the Minister for Transport for his cowardly and misleading attack on the City of Knox, claiming that the City of Knox were law breakers and had placed ‘No Tolls’ signs on a declared road network, as since this outrageous claim was made by the Minister in this House, VicRoads have found that the ‘No Tolls’ bill board was in fact not on the road reserve and the City of Knox had not broken the law; and (b) eagerly awaits the Minister for Transport’s personal explanation and full apology to the City of Knox.
- 109 **MR INGRAM** — To move, That this House takes note of the comments on the adjournment debate of 28 October 2003 by the Leader of the Upper House in the other place, the Hon John Lenders, when he, in commenting about a recent visit to the electorate office of Bass, stated a number of constituents were pining for the days when the former Member for Gippsland West was their local member, because she did a much better job than the current Member for Bass who they now never see or hear of.
- 110 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Drugs and Crime Prevention Committee to stand up to the Premier’s outrageous ‘Guidelines for Submissions and Responses to Inquiries’ that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members’ responsibilities to this Parliament’s independent committee work.
- 111 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Economic Development Committee to stand up to the Premier’s outrageous ‘Guidelines for Submissions and Responses to Inquiries’ that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members’ responsibilities to this Parliament’s independent committee work.
- 112 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Law Reform Committee to stand up to the Premier’s outrageous ‘Guidelines for Submissions and Responses to Inquiries’ that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to

compromise Government members' responsibilities to this Parliament's independent committee work.

- 113 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Environment and Natural Resources Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 114 **MR McINTOSH** — To move, That the Premier urgently gives a reference to the Scrutiny of Acts and Regulations Committee to inquire into whether the Department of Premier and Cabinet's 'Guidelines for Submissions and Responses to Inquiries' unduly trespasses upon the rights and freedoms of the Parliament of Victoria or insufficiently subjects the Bracks Government to proper parliamentary scrutiny.
- 115 **MR KOTSIRAS** — To move, That this House calls on the Chair and other Government members of the all-party Education and Training Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 116 **MRS SHARDEY** — To move, That this House calls on the Chair and other Government members of the all-party Family and Community Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 117 **MR SMITH** — To move, That this House calls on the Chair and other Government members of the all-party House Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 118 **MR MULDER** — To move, That this House calls on the Chair and other Government members of the all-party Road Safety Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

- 119 **MR DIXON** — To move, That this House calls on the Chair and other Government members of the all-party Outer Suburban/Interface Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 120 **DR NAPHTHINE** — To move, That this House calls on the Chair and other Government members of the all-party Rural and Regional Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 121 **MR PERTON** — To move, That this House calls on the Chair and other Government members of the all-party Public Accounts and Estimates Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 122 **MR LANGDON** — To move, That this House congratulates the members of the Library Committee for refusing to play stupid political games.
- 123 **MR STENSHOLT** — To move, That the Opposition be condemned for not being willing to stand up for anything when it comes to parliamentary committees but being only willing to read out parrot-like.
- 124 **DR NAPHTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for doing nothing whilst waiting lists and waiting times for essential public dental services in rural and regional Victoria have significantly increased; and (b) notes, in particular, that the Government has failed to act whilst waiting times for dentures and general dental care have now increased to more than four years in Warrnambool, Portland and Hamilton, causing serious pain and suffering to those in need of vital dental care.
- 125 **MR INGRAM** — To move, That this House calls on the Government to endorse the continuation of game hunting and, in particular, duck shooting, as a legitimate sporting activity in Victoria due to its cultural significance and economic benefits to regional areas.
- 126 **MR SAVAGE** — To move, That this House calls on the Government to commit to the 2004 duck season due to its cultural significance and economic benefits to Victoria.

- 127 \***MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to protect Melbourne's open space resources and undermining the amenity of that open space including at Royal Park, Jolimont, Kew Cottages, Burnley Gardens, Werribee, Frankston, Bayswater and the Yarra.
- 128 \***DR NAPHTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for its failure to respond to the well-presented business plan from the Westvic Helicopter Board by the date promised by Premier Bracks of 30 June 2003; and (b) notes that the south-west remains the only area of rural Victoria not covered by a helicopter rescue service and understands the importance of this service for search and rescue, air ambulance services, firefighting and police activities, and also recognises the very real life saving benefits of this service.
- 129 \***MR BAILLIEU** — To move, That this House condemns the Minister for Transport and the Minister for Planning for their silence on the proposed closure of the Swanston Street entrance to Melbourne Central Train Station on the corner of La Trobe Street which will inconvenience thousands of public transport users, disrupt the popular train/tram interchange and force commuters to undertake a circuitous route through the Melbourne Central Shopping centre to access the station.
- 130 \***MR BAILLIEU** — To move, That this House condemns the Minister for Planning for doing nothing to prevent the practice of Councils rejecting applications for in-ground swimming pools because of their clearly ludicrous and arbitrary contention that the excavation involved would contravene local covenants preventing quarry or mining in metropolitan Melbourne.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Naphthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).

- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27, 28 August and 18 September 2003*) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the

increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).

- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August and 29 October 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (*16 September 2003*) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (*16 September 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (*16 September and 8 October 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).

- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September and 16 October 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS** — Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).
- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (*7 October 2003*) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (*7 and 8 October 2003*) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).

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- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (8 October 2003) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).
- 41 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland South (15 October 2003) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ryan*).
- 42 **AQUATIC CENTRE FOR FRANKSTON** — Petition presented by the Member for Frankston (15 October 2003) — Requesting the building of an aquatic centre in Frankston — To be considered (*Mr Harkness*).
- 43 **HOUSING RENTAL REBATE POLICY** — Petition presented by the Member for Mildura (16 October 2003) — Relating to amending the rental rebate policy so that all public housing tenants will pay the rebate rent at the rate of 23 per cent of total household income — To be considered (*Mr Savage*).
- 44 **CUTS TO COMMUNITY SERVICES** — Petition presented by the Member for Mildura (16 October 2003) — Relating to exempting community services such as family support, children's services, services to people with disabilities, alcohol and drug counselling services and housing support, from planned cuts — To be considered (*Mr Savage*).
- 45 **FUNDING FOR STUDENTS ON DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Forest Hill (16 October 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Perton*).
- 46 **VICTORIAN SCHOOL OF LANGUAGES AT FOUNTAIN GATE** — Petition presented by the Member for Cranbourne (28 October 2003) — Requesting that the Victorian School of Languages at Fountain Gate not be relocated at Lyndale Secondary College, North Dandenong — To be considered (*Mr Perton*).
- 47 **'THE GAP' CAMPING GROUND AT WARATAH BAY** — Petition presented by the Member for Gippsland South (29 October 2003) — Relating to retaining 'The Gap' camping ground at Waratah Bay — To be considered (*Mr Ryan*).
- 48 **KNOX CITY COUNCIL** — Petition presented by the Member for Bayswater (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Lockwood*).
- 49 **KNOX CITY COUNCIL** — Petition presented by the Member for Burwood (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Stensholt*).
- 50 **KNOX CITY COUNCIL** — Petition presented by the Member for Evelyn (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms McTaggart*).
- 51 **\*KNOX CITY COUNCIL** — Petition presented by the Member for Ferntree Gully (30 October and 6 November 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Eckstein*).

- 52 **KNOX CITY COUNCIL** — Petition presented by the Member for Yan Yean (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Green*).
- 53 **KNOX CITY COUNCIL** — Petition presented by the Member for Kilsyth (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Beard*).
- 54 **KNOX CITY COUNCIL** — Petition presented by the Member for Monbulk (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Merlino*).
- 55 **KYNETON-BENDIGO AND WATERGARDENS-BENDIGO RAIL TRACKS** — Petition presented by the Member for Ivanhoe (*5 November 2003*) — Relating to retaining the double rail track between Kyneton and Bendigo and ensuring that any sleepers ordered for the upgrading of the Watergardens to Bendigo rail line be capable of being gauge converted — To be considered (*Mr Mulder*).

## BUSINESS LISTED FOR FUTURE DAY

THURSDAY 20 NOVEMBER 2003

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **PARLIAMENTARY COMMITTEES BILL** — Second reading — *Resumption of debate* (*Mr Honeywood*).
- 2 **GAMBLING REGULATION BILL** — Second reading — *Resumption of debate* (*Mr Smith*).
- 3 **SHOP TRADING REFORM (SIMPLIFICATION) BILL** — Second reading — *Resumption of debate* (*Ms Asher*).
- 4 **FIREARMS (AMENDMENT) BILL** — Second reading — *Resumption of debate* (*Mr Wells*).
- 5 **CRIMES (MONEY LAUNDERING) BILL** — Second reading — *Resumption of debate* (*Mr McIntosh*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003 AND AMENDED ON 16 SEPTEMBER AND 28 OCTOBER 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

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**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

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**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the remainder of 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 41

**Wednesday 19 November 2003**

*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

**GRIEVANCES** — *Debate on the question* — That grievances be noted

**STATEMENTS ON COMMITTEE REPORTS** — *Pursuant to Sessional Order 17*

### GOVERNMENT BUSINESS

#### NOTICE OF MOTION

- 1 \***MS DELAHUNTY** (*Northcote*) — To move, That pursuant to s 46AH of the *Planning and Environment Act 1987*, the following 13 amendments to modify the Urban Growth Boundary be ratified:

Nillumbik Planning Scheme — No C27  
Frankston Planning Scheme — No C29  
Yarra Ranges Planning Scheme — No C36  
Kingston Planning Scheme — No C38  
Knox Planning Scheme — No C41  
Melton Planning Scheme — No C41  
Hume Planning Scheme — No C48  
Greater Dandenong Planning Scheme — No C53  
Cardinia Planning Scheme — No C55  
Mornington Peninsula Planning Scheme — No C57  
Wyndham Planning Scheme — No C62  
Whittlesea Planning Scheme — No C63  
Casey Planning Scheme — No C70.

#### ORDERS OF THE DAY

- 1 **HEALTH LEGISLATION (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Delahunty, Lowan).*

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\* New entry.

- 2 **FISHERIES (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphthine).*
- 3 **FORESTS AND NATIONAL PARKS ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 4 **PARTNERSHIP (VENTURE CAPITAL FUNDS) BILL** — Second reading — *Resumption of debate (Mr Kotsiras).*
- 5 **ANZAC DAY (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 6 **WRONGS AND OTHER ACTS (LAW OF NEGLIGENCE) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 7 **ROAD SAFETY (DRUG DRIVING) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 8 **WRONGS (REMARRIAGE DISCOUNT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 9 **UNCLAIMED MONEYS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 10 **\*GAS INDUSTRY (RESIDUAL PROVISIONS) (AMENDMENT) BILL** — Second reading.
- 11 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
  - (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of

the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;

- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.

3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place,

deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.

- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.

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- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, That this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.

- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and

- (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;

- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.

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- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.

- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.

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- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.

- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all

local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.

- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia’s mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.

- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.
- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria’s rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government’.
- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.
- 101 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his deliberate avoidance of parliamentary scrutiny in that he proposed enhanced key performance indicators for the previous Minister for Manufacturing Industry, the Hon Rob Hulls, MP, yet upon his own appointment as Minister, he informed the Public Accounts and Estimates Committee that he is not prepared to accept the increased level of parliamentary scrutiny he advocated for the previous Minister.
- 102 **MR INGRAM** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria and condemns the Federal Leader of the Nationals, the Hon John Anderson, MP for his comments accusing those who oppose the full sale of Telstra of spreading lies, misinformation and being scaremongers, when 80 per cent of the constituents of Gippsland East are opposed to the full sale of Telstra; and (b) commends the Federal independent members Mr Peter Andren, MP, Mr Tony Windsor, MP and the Hon Bob Katter, MP for standing firm against any further sale.
- 103 **MR SAVAGE** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria; and (b) commends the Federal Liberal Member for Hume, Mr Alby Schultz, for his strident opposition to the full sale of Telstra and his observation on the National Party when he said, ‘I abhor what the National Party stands for because it compromises itself at every opportunity’.

- 104 **MR RYAN** — To move, That this House commends the policy of the Nationals at a Federal and State level that there be no further sale of the remaining public interest in Telstra unless and until appropriate levels of service are provided to rural and regional Australians.
- 105 **MR HONEYWOOD** — To move, That this House condemns the Treasurer for — (a) misleading the people of Victoria regarding his and the Bracks Government's involvement in the national Strategic Investment Incentive Program when he claimed that other States and Christmas Island were receiving greater Federal Government hand-outs from this program than Victoria when the truth is that this funding program is based on applications sponsored by State and Territory Governments; and (b) applying for an embarrassingly low number of grants that amount to less than 10 per cent of the total funding applications nationwide.
- 106 **MR RYAN** — To move, That the Standing Orders Committee considers and recommends amendments to the standing orders and /or the sessional orders of this Parliament to facilitate the establishment of a system of mediation of those occasional disputes which may arise between members, such mediation process to be a compulsory precursor to the reference of any such disputes to any other form of determination, on the basis that the introduction of such a system would be entirely in keeping with similar structures that apply in most other community and legal forums, and would represent a practical and a preferable option to alternative avenues such as reference to the Privileges Committee which was never designed or referenced to deal with matters of this nature.
- 107 **MR CLARK** — To move, That this House deplores the false claim by the Treasurer in question time yesterday that the former government could never cut payroll tax, when in fact the former government cut payroll tax on three separate occasions with an overall reduction in the rate of tax from 7 per cent to 5¾ per cent, and calls on the Treasurer to correct his statement in accordance with the established practices of the House.
- 108 **MR MULDER** — To move, That this House — (a) condemns the Minister for Transport for his cowardly and misleading attack on the City of Knox, claiming that the City of Knox were law breakers and had placed 'No Tolls' signs on a declared road network, as since this outrageous claim was made by the Minister in this House, VicRoads have found that the 'No Tolls' bill board was in fact not on the road reserve and the City of Knox had not broken the law; and (b) eagerly awaits the Minister for Transport's personal explanation and full apology to the City of Knox.
- 109 **MR INGRAM** — To move, That this House takes note of the comments on the adjournment debate of 28 October 2003 by the Leader of the Upper House in the other place, the Hon John Lenders, when he, in commenting about a recent visit to the electorate office of Bass, stated a number of constituents were pining for the days when the former Member for Gippsland West was their local member, because she did a much better job than the current Member for Bass who they now never see or hear of.
- 110 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Drugs and Crime Prevention Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

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- 111 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Economic Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 112 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Law Reform Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 113 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Environment and Natural Resources Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 114 **MR McINTOSH** — To move, That the Premier urgently gives a reference to the Scrutiny of Acts and Regulations Committee to inquire into whether the Department of Premier and Cabinet's 'Guidelines for Submissions and Responses to Inquiries' unduly trespasses upon the rights and freedoms of the Parliament of Victoria or insufficiently subjects the Bracks Government to proper parliamentary scrutiny.
- 115 **MR KOTSIRAS** — To move, That this House calls on the Chair and other Government members of the all-party Education and Training Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 116 **MRS SHARDEY** — To move, That this House calls on the Chair and other Government members of the all-party Family and Community Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

- 117 **MR SMITH** — To move, That this House calls on the Chair and other Government members of the all-party House Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 118 **MR MULDER** — To move, That this House calls on the Chair and other Government members of the all-party Road Safety Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 119 **MR DIXON** — To move, That this House calls on the Chair and other Government members of the all-party Outer Suburban/Interface Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 120 **DR NAPHTHINE** — To move, That this House calls on the Chair and other Government members of the all-party Rural and Regional Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 121 **MR PERTON** — To move, That this House calls on the Chair and other Government members of the all-party Public Accounts and Estimates Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 122 **MR LANGDON** — To move, That this House congratulates the members of the Library Committee for refusing to play stupid political games.
- 123 **MR STENSHOLT** — To move, That the Opposition be condemned for not being willing to stand up for anything when it comes to parliamentary committees but being only willing to read out parrot-like.

- 124 **DR NAPTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for doing nothing whilst waiting lists and waiting times for essential public dental services in rural and regional Victoria have significantly increased; and (b) notes, in particular, that the Government has failed to act whilst waiting times for dentures and general dental care have now increased to more than four years in Warrnambool, Portland and Hamilton, causing serious pain and suffering to those in need of vital dental care.
- 125 **MR INGRAM** — To move, That this House calls on the Government to endorse the continuation of game hunting and, in particular, duck shooting, as a legitimate sporting activity in Victoria due to its cultural significance and economic benefits to regional areas.
- 126 **MR SAVAGE** — To move, That this House calls on the Government to commit to the 2004 duck season due to its cultural significance and economic benefits to Victoria.
- 127 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to protect Melbourne's open space resources and undermining the amenity of that open space including at Royal Park, Jolimont, Kew Cottages, Burnley Gardens, Werribee, Frankston, Bayswater and the Yarra.
- 128 **DR NAPTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for its failure to respond to the well-presented business plan from the Westvic Helicopter Board by the date promised by Premier Bracks of 30 June 2003; and (b) notes that the south-west remains the only area of rural Victoria not covered by a helicopter rescue service and understands the importance of this service for search and rescue, air ambulance services, fire fighting and police activities, and also recognises the very real life saving benefits of this service.
- 129 **MR BAILLIEU** — To move, That this House condemns the Minister for Transport and the Minister for Planning for their silence on the proposed closure of the Swanston Street entrance to Melbourne Central Train Station on the corner of La Trobe Street which will inconvenience thousands of public transport users, disrupt the popular train/tram interchange and force commuters to undertake a circuitous route through the Melbourne Central Shopping centre to access the station.
- 130 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for doing nothing to prevent the practice of Councils rejecting applications for in-ground swimming pools because of their clearly ludicrous and arbitrary contention that the excavation involved would contravene local covenants preventing quarry or mining in metropolitan Melbourne.
- 131 **\*DR NAPTHINE** — To move, That this House condemns the Minister for Transport and the city-centric Bracks Labor Government for failing to meet its election promise to have the Warrnambool Deakin University Railway Platform built and in operation by November 2003 and notes that to date there has been no work on the site of this promised Deakin Railway Platform.
- 132 **\*MR SYKES** — To move, That this House condemns the Government for its abject failure to consult local communities and property owners in particular, prior to its recent announcement that locations at Baddaginnie, Pittong and Tiega have been identified as prospective sites for a hazardous waste dump and calls upon the Government to now release all relevant information giving rise to its decision so that appropriate community consultation can take place regarding this critical issue.

- 133 \***MRS SHARDEY** — To move, That the Bracks Government, and in particular the Minister for Transport and the Minister for Community Services, be condemned for failing to take appropriate action to curb the fraud the Government has been aware of since at least 2001, being perpetrated under the Multi-Purpose Taxi Program and instead punishing the Victorians of the fraud by introducing appalling changes to the scheme which will decimate benefits for the disabled and the elderly, leave them trapped in their homes and deny them their human right to fully participate in society, a right which was supposed to be guaranteed under the Victorian State Disability Plan.
- 134 \***MR THOMPSON** — To move, That the Bracks Government, and in particular the Minister for Transport and the Minister for Community Services, be condemned for failing to take appropriate action to curb fraud being perpetrated under the Multi-Purpose Taxi Program and instead punishing the victims of the fraud by introducing appalling changes to the scheme which will decimate benefits for the disabled, and in particular the ethnic disabled, leave them trapped in their homes and deny them their human right to fully participate in society, a right which was supposed to be guaranteed under the Victorian State Disability Plan.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).

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- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (20 May 2003) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (3 June 2003) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (4 June 2003) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (4 June 2003) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (5 June 2003) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (26 August 2003) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (27 August 2003) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (27, 28 August and 18 September 2003) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (27 August 2003) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (27 August 2003) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).

- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (27 August 2003) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (28 August and 29 October 2003) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (28 August 2003) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (16 September 2003) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (16 September 2003) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (16 September 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (16 September and 8 October 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (16 September 2003) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (17 September 2003) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (17 and 18 September 2003) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (17 September 2003) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).

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- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September and 16 October 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS**— Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).
- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (*7 October 2003*) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (*7 and 8 October 2003*) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).
- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (*8 October 2003*) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).
- 41 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland South (*15 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ryan*).

- 42 **AQUATIC CENTRE FOR FRANKSTON** — Petition presented by the Member for Frankston (15 October 2003) — Requesting the building of an aquatic centre in Frankston — To be considered (*Mr Harkness*).
- 43 **HOUSING RENTAL REBATE POLICY** — Petition presented by the Member for Mildura (16 October 2003) — Relating to amending the rental rebate policy so that all public housing tenants will pay the rebate rent at the rate of 23 per cent of total household income — To be considered (*Mr Savage*).
- 44 **CUTS TO COMMUNITY SERVICES** — Petition presented by the Member for Mildura (16 October 2003) — Relating to exempting community services such as family support, children's services, services to people with disabilities, alcohol and drug counselling services and housing support, from planned cuts — To be considered (*Mr Savage*).
- 45 **FUNDING FOR STUDENTS ON DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Forest Hill (16 October 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Perton*).
- 46 **VICTORIAN SCHOOL OF LANGUAGES AT FOUNTAIN GATE** — Petition presented by the Member for Cranbourne (28 October 2003) — Requesting that the Victorian School of Languages at Fountain Gate not be relocated at Lyndale Secondary College, North Dandenong — To be considered (*Mr Perton*).
- 47 **'THE GAP' CAMPING GROUND AT WARATAH BAY** — Petition presented by the Member for Gippsland South (29 October 2003) — Relating to retaining 'The Gap' camping ground at Waratah Bay — To be considered (*Mr Ryan*).
- 48 **KNOX CITY COUNCIL** — Petition presented by the Member for Bayswater (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Lockwood*).
- 49 **KNOX CITY COUNCIL** — Petition presented by the Member for Burwood (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Stensholt*).
- 50 **KNOX CITY COUNCIL** — Petition presented by the Member for Evelyn (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms McTaggart*).
- 51 **KNOX CITY COUNCIL** — Petition presented by the Member for Ferntree Gully (30 October and 6 November 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Eckstein*).
- 52 **KNOX CITY COUNCIL** — Petition presented by the Member for Yan Yean (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Green*).
- 53 **KNOX CITY COUNCIL** — Petition presented by the Member for Kilsyth (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Beard*).

- 54 **KNOX CITY COUNCIL** — Petition presented by the Member for Monbulk (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Merlino*).
- 55 **KYNETON-BENDIGO AND WATERGARDENS-BENDIGO RAIL TRACKS** — Petition presented by the Member for Ivanhoe (*5 November 2003*) — Relating to retaining the double rail track between Kyneton and Bendigo and ensuring that any sleepers ordered for the upgrading of the Watergardens to Bendigo rail line be capable of being gauge converted — To be considered (*Mr Mulder*).
- 56 **\*KNOX CITY COUNCIL** — Petition presented by the Member for Scoresby (*18 November 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered — (*Mr Wells*).

## BUSINESS LISTED FOR FUTURE DAY

THURSDAY 20 NOVEMBER 2003

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **PARLIAMENTARY COMMITTEES BILL** — Second reading — *Resumption of debate* (*Mr Honeywood*).
- 2 **GAMBLING REGULATION BILL** — Second reading — *Resumption of debate* (*Mr Smith*).
- 3 **SHOP TRADING REFORM (SIMPLIFICATION) BILL** — Second reading — *Resumption of debate* (*Ms Asher*).
- 4 **FIREARMS (AMENDMENT) BILL** — Second reading — *Resumption of debate* (*Mr Wells*).
- 5 **CRIMES (MONEY LAUNDERING) BILL** — Second reading — *Resumption of debate* (*Mr McIntosh*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003 AND AMENDED ON 16 SEPTEMBER AND 28 OCTOBER 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member’s conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister’s time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the remainder of 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 42

**Thursday 20 November 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### NOTICE OF MOTION

- 1 **MS DELAHUNTY** (*Northcote*) — To move, That pursuant to s 46AH of the *Planning and Environment Act 1987*, the following 13 amendments to modify the Urban Growth Boundary be ratified:

Nillumbik Planning Scheme — No C27  
Frankston Planning Scheme — No C29  
Yarra Ranges Planning Scheme — No C36  
Kingston Planning Scheme — No C38  
Knox Planning Scheme — No C41  
Melton Planning Scheme — No C41  
Hume Planning Scheme — No C48  
Greater Dandenong Planning Scheme — No C53  
Cardinia Planning Scheme — No C55  
Mornington Peninsula Planning Scheme — No C57  
Wyndham Planning Scheme — No C62  
Whittlesea Planning Scheme — No C63  
Casey Planning Scheme — No C70.

#### ORDERS OF THE DAY

- 1 **GAS INDUSTRY (RESIDUAL PROVISIONS) (AMENDMENT) BILL** — Second reading.
- 2 **FORESTS AND NATIONAL PARKS ACTS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Plowman).*
- 3 **WRONGS AND OTHER ACTS (LAW OF NEGLIGENCE) BILL** — Second reading — *Resumption of debate (Mr Maughan).*

- 4 **HEALTH LEGISLATION (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 5 **FISHERIES (FURTHER AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Cameron).*
- 6 **ROAD SAFETY (DRUG DRIVING) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 7 **WRONGS (REMARRIAGE DISCOUNT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 8 **UNCLAIMED MONEYS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 9 **PARLIAMENTARY COMMITTEES BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 10 **GAMBLING REGULATION BILL** — Second reading — *Resumption of debate (Mr Smith).*
- 11 **SHOP TRADING REFORM (SIMPLIFICATION) BILL** — Second reading — *Resumption of debate (Ms Asher).*
- 12 **FIREARMS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 13 **CRIMES (MONEY LAUNDERING) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 14 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all

organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;

- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.

- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria’s precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT’s reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT’s operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.

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- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.

- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and

- practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;

- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.

- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.

- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.

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- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.

- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.

- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the ‘no tolling Scoresby Freeway’ public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.

- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia’s mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.

- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.
- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria’s rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government’.
- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.
- 101 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his deliberate avoidance of parliamentary scrutiny in that he proposed enhanced key performance indicators for the previous Minister for Manufacturing Industry, the Hon Rob Hulls, MP, yet upon his own appointment as Minister, he informed the Public Accounts and Estimates Committee that he is not prepared to accept the increased level of parliamentary scrutiny he advocated for the previous Minister.
- 102 **MR INGRAM** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria and condemns the Federal Leader of the Nationals, the Hon John Anderson, MP for his comments accusing those who oppose the full sale of Telstra of spreading lies, misinformation and being scaremongers, when 80 per cent of the constituents of Gippsland East are opposed to the full sale of Telstra; and (b) commends the

Federal independent members Mr Peter Andren, MP, Mr Tony Windsor, MP and the Hon Bob Katter, MP for standing firm against any further sale.

- 103 **MR SAVAGE** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria; and (b) commends the Federal Liberal Member for Hume, Mr Alby Schultz, for his strident opposition to the full sale of Telstra and his observation on the National Party when he said, ‘I abhor what the National Party stands for because it compromises itself at every opportunity’.
- 104 **MR RYAN** — To move, That this House commends the policy of the Nationals at a Federal and State level that there be no further sale of the remaining public interest in Telstra unless and until appropriate levels of service are provided to rural and regional Australians.
- 105 **MR HONEYWOOD** — To move, That this House condemns the Treasurer for — (a) misleading the people of Victoria regarding his and the Bracks Government’s involvement in the national Strategic Investment Incentive Program when he claimed that other States and Christmas Island were receiving greater Federal Government hand-outs from this program than Victoria when the truth is that this funding program is based on applications sponsored by State and Territory Governments; and (b) applying for an embarrassingly low number of grants that amount to less than 10 per cent of the total funding applications nationwide.
- 106 **MR RYAN** — To move, That the Standing Orders Committee considers and recommends amendments to the standing orders and /or the sessional orders of this Parliament to facilitate the establishment of a system of mediation of those occasional disputes which may arise between members, such mediation process to be a compulsory precursor to the reference of any such disputes to any other form of determination, on the basis that the introduction of such a system would be entirely in keeping with similar structures that apply in most other community and legal forums, and would represent a practical and a preferable option to alternative avenues such as reference to the Privileges Committee which was never designed or referenced to deal with matters of this nature.
- 107 **MR CLARK** — To move, That this House deplores the false claim by the Treasurer in question time yesterday that the former government could never cut payroll tax, when in fact the former government cut payroll tax on three separate occasions with an overall reduction in the rate of tax from 7 per cent to 5¾ per cent, and calls on the Treasurer to correct his statement in accordance with the established practices of the House.
- 108 **MR MULDER** — To move, That this House — (a) condemns the Minister for Transport for his cowardly and misleading attack on the City of Knox, claiming that the City of Knox were law breakers and had placed ‘No Tolls’ signs on a declared road network, as since this outrageous claim was made by the Minister in this House, VicRoads have found that the ‘No Tolls’ bill board was in fact not on the road reserve and the City of Knox had not broken the law; and (b) eagerly awaits the Minister for Transport’s personal explanation and full apology to the City of Knox.
- 109 **MR INGRAM** — To move, That this House takes note of the comments on the adjournment debate of 28 October 2003 by the Leader of the Upper House in the other place, the Hon John Lenders, when he, in commenting about a recent visit to the electorate office of Bass, stated a number of constituents were pining for the days when the former Member for Gippsland West was their local member, because she did a much better job than the current Member for Bass who they now never see or hear of.

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- 110 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Drugs and Crime Prevention Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 111 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Economic Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 112 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Law Reform Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 113 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Environment and Natural Resources Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 114 **MR McINTOSH** — To move, That the Premier urgently gives a reference to the Scrutiny of Acts and Regulations Committee to inquire into whether the Department of Premier and Cabinet's 'Guidelines for Submissions and Responses to Inquiries' unduly trespasses upon the rights and freedoms of the Parliament of Victoria or insufficiently subjects the Bracks Government to proper parliamentary scrutiny.
- 115 **MR KOTSIRAS** — To move, That this House calls on the Chair and other Government members of the all-party Education and Training Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

- 116 **MRS SHARDEY** — To move, That this House calls on the Chair and other Government members of the all-party Family and Community Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 117 **MR SMITH** — To move, That this House calls on the Chair and other Government members of the all-party House Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 118 **MR MULDER** — To move, That this House calls on the Chair and other Government members of the all-party Road Safety Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 119 **MR DIXON** — To move, That this House calls on the Chair and other Government members of the all-party Outer Suburban/Interface Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 120 **DR NAPHTHINE** — To move, That this House calls on the Chair and other Government members of the all-party Rural and Regional Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 121 **MR PERTON** — To move, That this House calls on the Chair and other Government members of the all-party Public Accounts and Estimates Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

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- 122 **MR LANGDON** — To move, That this House congratulates the members of the Library Committee for refusing to play stupid political games.
- 123 **MR STENSHOLT** — To move, That the Opposition be condemned for not being willing to stand up for anything when it comes to parliamentary committees but being only willing to read out parrot-like.
- 124 **DR NAPHTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for doing nothing whilst waiting lists and waiting times for essential public dental services in rural and regional Victoria have significantly increased; and (b) notes, in particular, that the Government has failed to act whilst waiting times for dentures and general dental care have now increased to more than four years in Warrnambool, Portland and Hamilton, causing serious pain and suffering to those in need of vital dental care.
- 125 **MR INGRAM** — To move, That this House calls on the Government to endorse the continuation of game hunting and, in particular, duck shooting, as a legitimate sporting activity in Victoria due to its cultural significance and economic benefits to regional areas.
- 126 **MR SAVAGE** — To move, That this House calls on the Government to commit to the 2004 duck season due to its cultural significance and economic benefits to Victoria.
- 127 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to protect Melbourne's open space resources and undermining the amenity of that open space including at Royal Park, Jolimont, Kew Cottages, Burnley Gardens, Werribee, Frankston, Bayswater and the Yarra.
- 128 **DR NAPHTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for its failure to respond to the well-presented business plan from the Westvic Helicopter Board by the date promised by Premier Bracks of 30 June 2003; and (b) notes that the south-west remains the only area of rural Victoria not covered by a helicopter rescue service and understands the importance of this service for search and rescue, air ambulance services, fire fighting and police activities, and also recognises the very real life saving benefits of this service.
- 129 **MR BAILLIEU** — To move, That this House condemns the Minister for Transport and the Minister for Planning for their silence on the proposed closure of the Swanston Street entrance to Melbourne Central Train Station on the corner of La Trobe Street which will inconvenience thousands of public transport users, disrupt the popular train/tram interchange and force commuters to undertake a circuitous route through the Melbourne Central Shopping centre to access the station.
- 130 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for doing nothing to prevent the practice of Councils rejecting applications for in-ground swimming pools because of their clearly ludicrous and arbitrary contention that the excavation involved would contravene local covenants preventing quarry or mining in metropolitan Melbourne.
- 131 **DR NAPHTHINE** — To move, That this House condemns the Minister for Transport and the city-centric Bracks Labor Government for failing to meet its election promise to have the Warrnambool Deakin University Railway Platform built and in operation by November 2003 and notes that to date there has been no work on the site of this promised Deakin Railway Platform.

- 132 **MR SYKES** — To move, That this House condemns the Government for its abject failure to consult local communities and property owners in particular, prior to its recent announcement that locations at Baddaginnie, Pittong and Tiega have been identified as prospective sites for a hazardous waste dump and calls upon the Government to now release all relevant information giving rise to its decision so that appropriate community consultation can take place regarding this critical issue.
- 133 **MRS SHARDEY** — To move, That the Bracks Government, and in particular the Minister for Transport and the Minister for Community Services, be condemned for failing to take appropriate action to curb the fraud the Government has been aware of since at least 2001, being perpetrated under the Multi-Purpose Taxi Program and instead punishing the Victorians of the fraud by introducing appalling changes to the scheme which will decimate benefits for the disabled and the elderly, leave them trapped in their homes and deny them their human right to fully participate in society, a right which was supposed to be guaranteed under the Victorian State Disability Plan.
- 134 **MR THOMPSON** — To move, That the Bracks Government, and in particular the Minister for Transport and the Minister for Community Services, be condemned for failing to take appropriate action to curb fraud being perpetrated under the Multi-Purpose Taxi Program and instead punishing the victims of the fraud by introducing appalling changes to the scheme which will decimate benefits for the disabled, and in particular the ethnic disabled, leave them trapped in their homes and deny them their human right to fully participate in society, a right which was supposed to be guaranteed under the Victorian State Disability Plan.
- 135 **\*DR NAPHTHINE** — To move, That this House condemns the city-centric Bracks Labor Government for its failure to provide \$1 million, being the State's share of funding for Warrnambool's Brauerander Park Athletics Community and Sporting Development, despite the Premier saying in 2001 that his Government would be happy to contribute towards a three-way partnership involving local, state and federal governments and noting that contributions have already been received from the Federal Government (\$1 million), local government and the local community.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).

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\* New entry.

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- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Naphthine*).
  - 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
  - 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
  - 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
  - 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
  - 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
  - 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
  - 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
  - 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
  - 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
  - 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).

- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (27 August 2003) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (27, 28 August and 18 September 2003) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (27 August 2003) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (27 August 2003) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (27 August 2003) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (28 August and 29 October 2003) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (28 August 2003) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (16 September 2003) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (16 September 2003) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (16 September 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (16 September and 8 October 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).

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- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September and 16 October 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS** — Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).

- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (7 October 2003) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).
- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (7 October 2003) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (7 and 8 October 2003) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).
- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (8 October 2003) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).
- 41 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland South (15 October 2003) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ryan*).
- 42 **AQUATIC CENTRE FOR FRANKSTON** — Petition presented by the Member for Frankston (15 October 2003) — Requesting the building of an aquatic centre in Frankston — To be considered (*Mr Harkness*).
- 43 **HOUSING RENTAL REBATE POLICY** — Petition presented by the Member for Mildura (16 October 2003) — Relating to amending the rental rebate policy so that all public housing tenants will pay the rebate rent at the rate of 23 per cent of total household income — To be considered (*Mr Savage*).
- 44 **CUTS TO COMMUNITY SERVICES** — Petition presented by the Member for Mildura (16 October 2003) — Relating to exempting community services such as family support, children's services, services to people with disabilities, alcohol and drug counselling services and housing support, from planned cuts — To be considered (*Mr Savage*).
- 45 **FUNDING FOR STUDENTS ON DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Forest Hill (16 October 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Perton*).
- 46 **VICTORIAN SCHOOL OF LANGUAGES AT FOUNTAIN GATE** — Petition presented by the Member for Cranbourne (28 October 2003) — Requesting that the Victorian School of Languages at Fountain Gate not be relocated at Lyndale Secondary College, North Dandenong — To be considered (*Mr Perton*).
- 47 **'THE GAP' CAMPING GROUND AT WARATAH BAY** — Petition presented by the Member for Gippsland South (29 October 2003) — Relating to retaining 'The Gap' camping ground at Waratah Bay — To be considered (*Mr Ryan*).

- 48 **KNOX CITY COUNCIL** — Petition presented by the Member for Bayswater (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Lockwood*).
- 49 **KNOX CITY COUNCIL** — Petition presented by the Member for Burwood (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Stensholt*).
- 50 **KNOX CITY COUNCIL** — Petition presented by the Member for Evelyn (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms McTaggart*).
- 51 **KNOX CITY COUNCIL** — Petition presented by the Member for Ferntree Gully (*30 October and 6 November 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Eckstein*).
- 52 **KNOX CITY COUNCIL** — Petition presented by the Member for Yan Yean (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Green*).
- 53 **KNOX CITY COUNCIL** — Petition presented by the Member for Kilsyth (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Beard*).
- 54 **KNOX CITY COUNCIL** — Petition presented by the Member for Monbulk (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Merlino*).
- 55 **KYNETON-BENDIGO AND WATERGARDENS-BENDIGO RAIL TRACKS** — Petition presented by the Member for Ivanhoe (*5 November 2003*) — Relating to retaining the double rail track between Kyneton and Bendigo and ensuring that any sleepers ordered for the upgrading of the Watergardens to Bendigo rail line be capable of being gauge converted — To be considered (*Mr Mulder*).
- 56 **KNOX CITY COUNCIL** — Petition presented by the Member for Scoresby (*18 November 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered — (*Mr Wells*).

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003 AND AMENDED ON 16 SEPTEMBER AND 28 OCTOBER 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member’s conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister’s time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the remainder of 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 43

**Tuesday 25 November 2003**  
*The Speaker takes the Chair at 2.00 pm*

### BUSINESS TO TAKE PRECEDENCE

STATEMENTS BY MEMBERS — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **ROAD SAFETY (DRUG DRIVING) BILL** — Second reading — *Resumption of debate (Mr Perton).*
- 2 **PARLIAMENTARY COMMITTEES BILL** — Second reading — *Resumption of debate (Mr Honeywood).*
- 3 **GAMBLING REGULATION BILL** — Second reading — *Resumption of debate (Mr Smith).*
- 4 **SHOP TRADING REFORM (SIMPLIFICATION) BILL** — Second reading — *Resumption of debate (Ms Asher).*
- 5 **FIREARMS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Wells).*
- 6 **CRIMES (MONEY LAUNDERING) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 7 **WRONGS (REMARRIAGE DISCOUNT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 8 **\*ACCIDENT COMPENSATION AND TRANSPORT ACCIDENT ACTS (AMENDMENT) BILL — AMENDMENTS OF THE LEGISLATIVE COUNCIL** — To be considered.
- 9 **UNCLAIMED MONEYS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 10 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

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\* New entry.

## GENERAL BUSINESS

### NOTICES OF MOTION

1 **MR DOYLE** — To move, That —

- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;

- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —  
(a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and  
(b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.

- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of

the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.

- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in

Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.

- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings,

fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;

- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
- (c) The Committee has the power to send for persons, papers and records;
- (d) The Committee shall elect one of its members to be Chair;
- (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) Five members of the Committee to be the quorum;
- (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) The Committee shall sit on days on which both Houses do not meet;
- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.

33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for

more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.

- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which

were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.

- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in

response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.

- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.

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- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukranian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.

- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning 'deliberately' misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.

- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government's own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government's home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words 'urgently needed' new relocatable classrooms for Victoria's schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.

- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of Waltzing Matilda at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.
- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has

stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria's rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government'.

- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.
- 101 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his deliberate avoidance of parliamentary scrutiny in that he proposed enhanced key performance indicators for the previous Minister for Manufacturing Industry, the Hon Rob Hulls, MP, yet upon his own appointment as Minister, he informed the Public Accounts and Estimates Committee that he is not prepared to accept the increased level of parliamentary scrutiny he advocated for the previous Minister.
- 102 **MR INGRAM** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria and condemns the Federal Leader of the Nationals, the Hon John Anderson, MP for his comments accusing those who oppose the full sale of Telstra of spreading lies, misinformation and being scaremongers, when 80 per cent of the constituents of Gippsland East are opposed to the full sale of Telstra; and (b) commends the Federal independent members Mr Peter Andren, MP, Mr Tony Windsor, MP and the Hon Bob Katter, MP for standing firm against any further sale.
- 103 **MR SAVAGE** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria; and (b) commends the Federal Liberal Member for Hume, Mr Alby Schultz, for his strident opposition to the full sale of Telstra and his observation on the National Party when he said, 'I abhor what the National Party stands for because it compromises itself at every opportunity'.
- 104 **MR RYAN** — To move, That this House commends the policy of the Nationals at a Federal and State level that there be no further sale of the remaining public interest in Telstra unless and until appropriate levels of service are provided to rural and regional Australians.
- 105 **MR HONEYWOOD** — To move, That this House condemns the Treasurer for — (a) misleading the people of Victoria regarding his and the Bracks Government's involvement in the national Strategic Investment Incentive Program when he claimed that other States and Christmas Island were receiving greater Federal Government hand-outs from this program than Victoria when the truth is that this funding program is based on applications sponsored by State and Territory Governments; and (b) applying for an embarrassingly low number of grants that amount to less than 10 per cent of the total funding applications nationwide.
- 106 **MR RYAN** — To move, That the Standing Orders Committee considers and recommends amendments to the standing orders and /or the sessional orders of this Parliament to facilitate the establishment of a system of mediation of those occasional disputes which may arise between members, such mediation process to be a compulsory precursor to the reference of any such disputes to any other form of determination, on the basis that the introduction of such a system would be entirely in keeping with similar structures that apply in most other community and legal forums, and would represent a practical and a preferable option to alternative avenues such as reference to the Privileges Committee which was never designed or referenced to deal with matters of this nature.

- 107 **MR CLARK** — To move, That this House deplores the false claim by the Treasurer in question time yesterday that the former government could never cut payroll tax, when in fact the former government cut payroll tax on three separate occasions with an overall reduction in the rate of tax from 7 per cent to 5¾ per cent, and calls on the Treasurer to correct his statement in accordance with the established practices of the House.
- 108 **MR MULDER** — To move, That this House — (a) condemns the Minister for Transport for his cowardly and misleading attack on the City of Knox, claiming that the City of Knox were law breakers and had placed ‘No Tolls’ signs on a declared road network, as since this outrageous claim was made by the Minister in this House, VicRoads have found that the ‘No Tolls’ bill board was in fact not on the road reserve and the City of Knox had not broken the law; and (b) eagerly awaits the Minister for Transport’s personal explanation and full apology to the City of Knox.
- 109 **MR INGRAM** — To move, That this House takes note of the comments on the adjournment debate of 28 October 2003 by the Leader of the Upper House in the other place, the Hon John Lenders, when he, in commenting about a recent visit to the electorate office of Bass, stated a number of constituents were pining for the days when the former Member for Gippsland West was their local member, because she did a much better job than the current Member for Bass who they now never see or hear of.
- 110 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Drugs and Crime Prevention Committee to stand up to the Premier’s outrageous ‘Guidelines for Submissions and Responses to Inquiries’ that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members’ responsibilities to this Parliament’s independent committee work.
- 111 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Economic Development Committee to stand up to the Premier’s outrageous ‘Guidelines for Submissions and Responses to Inquiries’ that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members’ responsibilities to this Parliament’s independent committee work.
- 112 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Law Reform Committee to stand up to the Premier’s outrageous ‘Guidelines for Submissions and Responses to Inquiries’ that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members’ responsibilities to this Parliament’s independent committee work.
- 113 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Environment and Natural Resources Committee to stand up to the Premier’s outrageous ‘Guidelines for Submissions and Responses to Inquiries’ that they are now required by the politburo Department of Premier and Cabinet to implement, and that these

Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

- 114 **MR McINTOSH** — To move, That the Premier urgently gives a reference to the Scrutiny of Acts and Regulations Committee to inquire into whether the Department of Premier and Cabinet's 'Guidelines for Submissions and Responses to Inquiries' unduly trespasses upon the rights and freedoms of the Parliament of Victoria or insufficiently subjects the Bracks Government to proper parliamentary scrutiny.
- 115 **MR KOTSIRAS** — To move, That this House calls on the Chair and other Government members of the all-party Education and Training Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 116 **MRS SHARDEY** — To move, That this House calls on the Chair and other Government members of the all-party Family and Community Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 117 **MR SMITH** — To move, That this House calls on the Chair and other Government members of the all-party House Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 118 **MR MULDER** — To move, That this House calls on the Chair and other Government members of the all-party Road Safety Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 119 **MR DIXON** — To move, That this House calls on the Chair and other Government members of the all-party Outer Suburban/Interface Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or

vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

- 120 **DR NAPHTHINE** — To move, That this House calls on the Chair and other Government members of the all-party Rural and Regional Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 121 **MR PERTON** — To move, That this House calls on the Chair and other Government members of the all-party Public Accounts and Estimates Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 122 **MR LANGDON** — To move, That this House congratulates the members of the Library Committee for refusing to play stupid political games.
- 123 **MR STENSHOLT** — To move, That the Opposition be condemned for not being willing to stand up for anything when it comes to parliamentary committees but being only willing to read out parrot-like.
- 124 **DR NAPHTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for doing nothing whilst waiting lists and waiting times for essential public dental services in rural and regional Victoria have significantly increased; and (b) notes, in particular, that the Government has failed to act whilst waiting times for dentures and general dental care have now increased to more than four years in Warrnambool, Portland and Hamilton, causing serious pain and suffering to those in need of vital dental care.
- 125 **MR INGRAM** — To move, That this House calls on the Government to endorse the continuation of game hunting and, in particular, duck shooting, as a legitimate sporting activity in Victoria due to its cultural significance and economic benefits to regional areas.
- 126 **MR SAVAGE** — To move, That this House calls on the Government to commit to the 2004 duck season due to its cultural significance and economic benefits to Victoria.
- 127 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to protect Melbourne's open space resources and undermining the amenity of that open space including at Royal Park, Jolimont, Kew Cottages, Burnley Gardens, Werribee, Frankston, Bayswater and the Yarra.
- 128 **DR NAPHTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for its failure to respond to the well-presented business plan from the Westvic Helicopter Board by the date promised by Premier Bracks of 30 June 2003; and (b) notes that the south-west remains the only area of rural Victoria not covered by a helicopter rescue service and understands the importance of this service for search and rescue, air

ambulance services, fire fighting and police activities, and also recognises the very real life saving benefits of this service.

- 129 **MR BAILLIEU** — To move, That this House condemns the Minister for Transport and the Minister for Planning for their silence on the proposed closure of the Swanston Street entrance to Melbourne Central Train Station on the corner of La Trobe Street which will inconvenience thousands of public transport users, disrupt the popular train/tram interchange and force commuters to undertake a circuitous route through the Melbourne Central Shopping centre to access the station.
- 130 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for doing nothing to prevent the practice of Councils rejecting applications for in-ground swimming pools because of their clearly ludicrous and arbitrary contention that the excavation involved would contravene local covenants preventing quarry or mining in metropolitan Melbourne.
- 131 **DR NAPHTHINE** — To move, That this House condemns the Minister for Transport and the city-centric Bracks Labor Government for failing to meet its election promise to have the Warrnambool Deakin University Railway Platform built and in operation by November 2003 and notes that to date there has been no work on the site of this promised Deakin Railway Platform.
- 132 **MR SYKES** — To move, That this House condemns the Government for its abject failure to consult local communities and property owners in particular, prior to its recent announcement that locations at Baddaginnie, Pittong and Tiega have been identified as prospective sites for a hazardous waste dump and calls upon the Government to now release all relevant information giving rise to its decision so that appropriate community consultation can take place regarding this critical issue.
- 133 **MRS SHARDEY** — To move, That the Bracks Government, and in particular the Minister for Transport and the Minister for Community Services, be condemned for failing to take appropriate action to curb the fraud the Government has been aware of since at least 2001, being perpetrated under the Multi-Purpose Taxi Program and instead punishing the Victorians of the fraud by introducing appalling changes to the scheme which will decimate benefits for the disabled and the elderly, leave them trapped in their homes and deny them their human right to fully participate in society, a right which was supposed to be guaranteed under the Victorian State Disability Plan.
- 134 **MR THOMPSON** — To move, That the Bracks Government, and in particular the Minister for Transport and the Minister for Community Services, be condemned for failing to take appropriate action to curb fraud being perpetrated under the Multi-Purpose Taxi Program and instead punishing the victims of the fraud by introducing appalling changes to the scheme which will decimate benefits for the disabled, and in particular the ethnic disabled, leave them trapped in their homes and deny them their human right to fully participate in society, a right which was supposed to be guaranteed under the Victorian State Disability Plan.
- 135 **DR NAPHTHINE** — To move, That this House condemns the city-centric Bracks Labor Government for its failure to provide \$1 million, being the State's share of funding for Warrnambool's Brauerander Park Athletics Community and Sporting Development, despite the Premier saying in 2001 that his Government would be happy to contribute towards a three-way partnership involving local, state and federal governments and noting that contributions have already been received from the Federal Government (\$1 million), local government and the local community.

- 136 \***DR NAPTHINE** — To move, That this House condemns the city-centric Bracks Labor Government for discriminating against regional and rural Victoria in public housing expenditure with only 17.8 per cent of funding for rental acquisitions, 15.7 per cent of funding for improvements and 8.3 per cent of funding for redevelopments allocated to projects in regional and rural Victoria, despite 27 per cent of Victorians living in these areas and a significantly growing public housing waiting list in country areas.
- 137 \***MRS SHARDEY** — To move, That the Bracks Government be condemned for cutting budget funds to homeless assistance programs both last year and this year, by \$12.2 million in 2002–03 from the expected outcome for 2001–02 and by \$18.7 million from the 2002–03 outcome to the 2003–04 target, and its failure to provide crisis accommodation in the Dandenong area promised some three years ago despite the increase reported on 19 November 2003 in Victoria’s homeless of 14 per cent, a figure which should provide a wake-up call to a Government which has been big on rhetoric and short on getting the job done.
- 138 \***MR PERTON** — To move, That this House condemns the Bracks Government for failing the students of Daylesford Primary School by deliberately setting a staffing budget for the school which will force the school to shed experienced staff and cut support programs for students and, further, that this House agrees with the School Council President, Colin Priest, that this is ‘deplorable for a Government that had education as a key election promise’ and ‘this funding crisis is having a negative effect on teacher and student morale’.
- 139 \***MR PERTON** — To move, That this House condemns the Member for Ballarat East for failing the students of Daylesford Primary School by acquiescing to the Bracks Government staffing budget for the school which will force it to shed experienced staff and cut support programs for students and further condemns him for failing to defend the right to a good education in the state schools of Daylesford.
- 140 \***MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Thomastown West Primary School by capriciously imposing a \$10,000 WorkCover penalty which will cause a reduction in the size of the teaching staff at the school and, further, that this House agrees with the School Council President, Lisa Courescas, that this Government should ‘rescind this unjust financial imposition on schools’.
- 141 \***MR PERTON** — To move, That this House condemns the Member for Thomastown for failing the students of Thomastown West Primary School by acquiescing to the Government’s imposition of a \$10,000 WorkCover penalty and failing to stand up for the rights of the students and parents of Thomastown West Primary School.
- 142 \***MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Lorne-Airey’s Inlet P-12 College by capriciously imposing a \$10,000 WorkCover penalty which will cause a reduction in the size of the teaching staff at the school and further, that this House expresses its support for the School Council President, Angus McKenzie, who has said, ‘this school council is disappointed and angry at the Government’s policy of devolving WorkCover premium to schools; we have already endured one bitter disappointment this year when the long awaited building project was not listed for master planning’.

- 143 \***MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Daylesford Secondary College by capriciously imposing a WorkCover penalty which will cause a reduction in the size of the VCE teaching staff at the school and, further, that this House agrees with the Daylesford Secondary College School Council President, Barry Golding, and the Principal, Heather McIntyre, that ‘this policy is an indictment on those who wrote it and those who support it; in the end the losers are our students’.
- 144 \***MR PERTON** — To move, That this House condemns the Member for Ballarat East for failing the students of Daylesford Secondary College by acquiescing to the Bracks Government staffing budget for the school which will force it to shed staff because of a WorkCover penalty imposed by the Minister for Education Services and further condemns him for failing to defend the right of children to a good education in the state school of Daylesford.
- 145 \***MR PERTON** — To move, That this House dissents from the ruling of the Speaker on 19 November 2003 when she used Sessional Order 10 in an impulsive fashion and for her refusal to follow the ruling of Deputy Speaker McGarth recorded in the *Rulings from the Chair*, July 2003, at p 71 which reports as follows ‘the Deputy Speaker drew attention of the House to his concern about continual requests for the withdrawal of words that have, in the past, been used regularly in the cut and thrust of debate. He pointed out that when members decide to take exception to words used in the House, they should be mindful that they do not paint themselves in a corner and so reduce the vocabulary that can be used that future debates will be inhibited and that common sense is needed’ and instead for using the narrowest interpretation of parliamentary practice.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Naphine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the

link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).

- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27, 28 August and 18 September 2003*) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).

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- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August and 29 October 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (*16 September 2003*) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (*16 September 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (*16 September and 8 October 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).

- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September and 16 October 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS**— Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).
- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (*7 October 2003*) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (*7 and 8 October 2003*) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).
- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (*8 October 2003*) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).

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- 41 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland South (15 October 2003) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (Mr Ryan).
- 42 **AQUATIC CENTRE FOR FRANKSTON** — Petition presented by the Member for Frankston (15 October 2003) — Requesting the building of an aquatic centre in Frankston — To be considered (Mr Harkness).
- 43 **HOUSING RENTAL REBATE POLICY** — Petition presented by the Member for Mildura (16 October 2003) — Relating to amending the rental rebate policy so that all public housing tenants will pay the rebate rent at the rate of 23 per cent of total household income — To be considered (Mr Savage).
- 44 **CUTS TO COMMUNITY SERVICES** — Petition presented by the Member for Mildura (16 October 2003) — Relating to exempting community services such as family support, children's services, services to people with disabilities, alcohol and drug counselling services and housing support, from planned cuts — To be considered (Mr Savage).
- 45 **FUNDING FOR STUDENTS ON DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Forest Hill (16 October 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (Mr Perton).
- 46 **VICTORIAN SCHOOL OF LANGUAGES AT FOUNTAIN GATE** — Petition presented by the Member for Cranbourne (28 October 2003) — Requesting that the Victorian School of Languages at Fountain Gate not be relocated at Lyndale Secondary College, North Dandenong — To be considered (Mr Perton).
- 47 **'THE GAP' CAMPING GROUND AT WARATAH BAY** — Petition presented by the Member for Gippsland South (29 October 2003) — Relating to retaining 'The Gap' camping ground at Waratah Bay — To be considered (Mr Ryan).
- 48 **\*KNOX CITY COUNCIL** — Petition presented by the Member for Bayswater (30 October and 20 November 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (Mr Lockwood).
- 49 **KNOX CITY COUNCIL** — Petition presented by the Member for Burwood (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (Mr Stensholt).
- 50 **KNOX CITY COUNCIL** — Petition presented by the Member for Evelyn (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (Ms McTaggart).
- 51 **\*KNOX CITY COUNCIL** — Petition presented by the Member for Ferntree Gully (30 October, 6 and 20 November 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (Ms Eckstein).
- 52 **KNOX CITY COUNCIL** — Petition presented by the Member for Yan Yean (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (Ms Green).

- 53 **KNOX CITY COUNCIL** — Petition presented by the Member for Kilsyth (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Beard*).
- 54 **KNOX CITY COUNCIL** — Petition presented by the Member for Monbulk (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Merlino*).
- 55 **KYNETON-BENDIGO AND WATERGARDENS-BENDIGO RAIL TRACKS** — Petition presented by the Member for Ivanhoe (*5 November 2003*) — Relating to retaining the double rail track between Kyneton and Bendigo and ensuring that any sleepers ordered for the upgrading of the Watergardens to Bendigo rail line be capable of being gauge converted — To be considered (*Mr Mulder*).
- 56 **KNOX CITY COUNCIL** — Petition presented by the Member for Scoresby (*18 November 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered — (*Mr Wells*).
- 57 **\*MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*20 November 2003*) — Requesting that the House does not ratify Amendment No C27 to the Nillumbik Planning Scheme until its impact on stakeholders is fully investigated — To be considered — (*Mrs Powell*).

## BUSINESS LISTED FOR FUTURE DAY

THURSDAY 4 DECEMBER 2003

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **GAS INDUSTRY (RESIDUAL PROVISIONS) (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Napthine)*.

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003 AND AMENDED ON 16 SEPTEMBER AND 28 OCTOBER 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

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**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover .....                                    | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover .....  | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

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**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the remainder of 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 44

**Wednesday 26 November 2003**

*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

**MATTER OF PUBLIC IMPORTANCE** — *Discussion on Matter*

**STATEMENTS ON COMMITTEE REPORTS** — *Pursuant to Sessional Order 17*

### GOVERNMENT BUSINESS

#### NOTICES OF MOTION

- 1 **\*MR BRACKS** — To move, That the following Address to His Excellency the Governor be agreed to by this House — We, the Legislative Assembly of Victoria, in Parliament assembled, with the concurrence of the Legislative Council of Victoria, pray that the Governor in Council will be pleased to exercise the authority vested in the Governor in Council by s 3(5)(b) of the *Ombudsman Act 1973*, by removing Barry William Perry from his office as Ombudsman as a result of his invalidity.
- 2 **\*MS DELAHUNTY** (*Northcote*) — To move, That pursuant to s 46D(1)(c) of the *Planning and Environment Act 1987*, Amendment No 116 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved.

#### ORDERS OF THE DAY

- 1 **CRIMES (MONEY LAUNDERING) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 2 **ACCIDENT COMPENSATION AND TRANSPORT ACCIDENT ACTS (AMENDMENT) BILL — AMENDMENTS OF THE LEGISLATIVE COUNCIL** — To be considered.
- 3 **GAMBLING REGULATION BILL** — Second reading — *Resumption of debate (Mr Smith)*.
- 4 **PARLIAMENTARY COMMITTEES BILL** — Second reading — *Resumption of debate (Mr Honeywood)*.

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\* New entry.

- 5 **\*NURSES (AMENDMENT) BILL** — Second reading.
- 6 **\*PUBLIC PROSECUTIONS (AMENDMENT) BILL** — Second reading.
- 7 **WRONGS (REMARRIAGE DISCOUNT) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.
- 8 **UNCLAIMED MONEYS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark)*.
- 9 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

## GENERAL BUSINESS

### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
  - (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
  - (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
  - (c) the Committee may send for persons, papers and records;
  - (d) the Committee shall elect one of its members to be Chair;
  - (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) six members of the Committee shall constitute a quorum of the Committee;

- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for —
  - (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and
  - (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a

continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.

- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.

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- 16 **MR PLOWMAN** — To move, That this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner's Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.

- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers' money in order to protect the Construction, Forestry, Mining and Energy Union's 'closed-shop' on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has

- had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;
  - (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
  - (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
  - (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;

(q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-

General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.

- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.

- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community's major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.

- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.

- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.

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- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.

- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.

- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.
- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria’s rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government’.
- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.
- 101 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his deliberate avoidance of parliamentary scrutiny in that he proposed enhanced key performance indicators for the previous Minister for Manufacturing Industry, the Hon Rob Hulls, MP, yet upon his own appointment as Minister, he informed the Public Accounts and Estimates Committee that he is not prepared to accept the increased level of parliamentary scrutiny he advocated for the previous Minister.
- 102 **MR INGRAM** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria and condemns the Federal Leader of the Nationals, the Hon John Anderson, MP for his comments accusing those who oppose the full sale of Telstra of spreading lies, misinformation and being scaremongers, when 80 per cent of the constituents of Gippsland East are opposed to the full sale of Telstra; and (b) commends the Federal independent members Mr Peter Andren, MP, Mr Tony Windsor, MP and the Hon Bob Katter, MP for standing firm against any further sale.
- 103 **MR SAVAGE** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria; and (b) commends the Federal Liberal Member for Hume, Mr Alby Schultz, for his strident opposition to the full sale of Telstra and his observation on the National Party when he said, ‘I abhor what the National Party stands for because it compromises itself at every opportunity’.
- 104 **MR RYAN** — To move, That this House commends the policy of the Nationals at a Federal and State level that there be no further sale of the remaining public interest in Telstra unless and until appropriate levels of service are provided to rural and regional Australians.

- 105 **MR HONEYWOOD** — To move, That this House condemns the Treasurer for — (a) misleading the people of Victoria regarding his and the Bracks Government's involvement in the national Strategic Investment Incentive Program when he claimed that other States and Christmas Island were receiving greater Federal Government hand-outs from this program than Victoria when the truth is that this funding program is based on applications sponsored by State and Territory Governments; and (b) applying for an embarrassingly low number of grants that amount to less than 10 per cent of the total funding applications nationwide.
- 106 **MR RYAN** — To move, That the Standing Orders Committee considers and recommends amendments to the standing orders and /or the sessional orders of this Parliament to facilitate the establishment of a system of mediation of those occasional disputes which may arise between members, such mediation process to be a compulsory precursor to the reference of any such disputes to any other form of determination, on the basis that the introduction of such a system would be entirely in keeping with similar structures that apply in most other community and legal forums, and would represent a practical and a preferable option to alternative avenues such as reference to the Privileges Committee which was never designed or referenced to deal with matters of this nature.
- 107 **MR CLARK** — To move, That this House deplores the false claim by the Treasurer in question time yesterday that the former government could never cut payroll tax, when in fact the former government cut payroll tax on three separate occasions with an overall reduction in the rate of tax from 7 per cent to 5¾ per cent, and calls on the Treasurer to correct his statement in accordance with the established practices of the House.
- 108 **MR MULDER** — To move, That this House — (a) condemns the Minister for Transport for his cowardly and misleading attack on the City of Knox, claiming that the City of Knox were law breakers and had placed 'No Tolls' signs on a declared road network, as since this outrageous claim was made by the Minister in this House, VicRoads have found that the 'No Tolls' bill board was in fact not on the road reserve and the City of Knox had not broken the law; and (b) eagerly awaits the Minister for Transport's personal explanation and full apology to the City of Knox.
- 109 **MR INGRAM** — To move, That this House takes note of the comments on the adjournment debate of 28 October 2003 by the Leader of the Upper House in the other place, the Hon John Lenders, when he, in commenting about a recent visit to the electorate office of Bass, stated a number of constituents were pining for the days when the former Member for Gippsland West was their local member, because she did a much better job than the current Member for Bass who they now never see or hear of.
- 110 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Drugs and Crime Prevention Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 111 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Economic Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government

members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

- 112 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Law Reform Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 113 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Environment and Natural Resources Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 114 **MR McINTOSH** — To move, That the Premier urgently gives a reference to the Scrutiny of Acts and Regulations Committee to inquire into whether the Department of Premier and Cabinet's 'Guidelines for Submissions and Responses to Inquiries' unduly trespasses upon the rights and freedoms of the Parliament of Victoria or insufficiently subjects the Bracks Government to proper parliamentary scrutiny.
- 115 **MR KOTSIRAS** — To move, That this House calls on the Chair and other Government members of the all-party Education and Training Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 116 **MRS SHARDEY** — To move, That this House calls on the Chair and other Government members of the all-party Family and Community Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 117 **MR SMITH** — To move, That this House calls on the Chair and other Government members of the all-party House Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority

submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

- 118 **MR MULDER** — To move, That this House calls on the Chair and other Government members of the all-party Road Safety Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 119 **MR DIXON** — To move, That this House calls on the Chair and other Government members of the all-party Outer Suburban/Interface Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 120 **DR NAPHTHINE** — To move, That this House calls on the Chair and other Government members of the all-party Rural and Regional Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 121 **MR PERTON** — To move, That this House calls on the Chair and other Government members of the all-party Public Accounts and Estimates Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 122 **MR LANGDON** — To move, That this House congratulates the members of the Library Committee for refusing to play stupid political games.
- 123 **MR STENSHOLT** — To move, That the Opposition be condemned for not being willing to stand up for anything when it comes to parliamentary committees but being only willing to read out parrot-like.
- 124 **DR NAPHTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for doing nothing whilst waiting lists and waiting times for essential public dental services in rural and regional Victoria have significantly increased; and (b) notes, in particular, that the Government has failed to act whilst waiting times for dentures and general dental care have now increased to more than four years in Warrnambool, Portland and Hamilton, causing serious pain and suffering to those in need of vital dental care.

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- 125 **MR INGRAM** — To move, That this House calls on the Government to endorse the continuation of game hunting and, in particular, duck shooting, as a legitimate sporting activity in Victoria due to its cultural significance and economic benefits to regional areas.
- 126 **MR SAVAGE** — To move, That this House calls on the Government to commit to the 2004 duck season due to its cultural significance and economic benefits to Victoria.
- 127 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to protect Melbourne's open space resources and undermining the amenity of that open space including at Royal Park, Jolimont, Kew Cottages, Burnley Gardens, Werribee, Frankston, Bayswater and the Yarra.
- 128 **DR NAPTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for its failure to respond to the well-presented business plan from the Westvic Helicopter Board by the date promised by Premier Bracks of 30 June 2003; and (b) notes that the south-west remains the only area of rural Victoria not covered by a helicopter rescue service and understands the importance of this service for search and rescue, air ambulance services, fire fighting and police activities, and also recognises the very real life saving benefits of this service.
- 129 **MR BAILLIEU** — To move, That this House condemns the Minister for Transport and the Minister for Planning for their silence on the proposed closure of the Swanston Street entrance to Melbourne Central Train Station on the corner of La Trobe Street which will inconvenience thousands of public transport users, disrupt the popular train/tram interchange and force commuters to undertake a circuitous route through the Melbourne Central Shopping centre to access the station.
- 130 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for doing nothing to prevent the practice of Councils rejecting applications for in-ground swimming pools because of their clearly ludicrous and arbitrary contention that the excavation involved would contravene local covenants preventing quarry or mining in metropolitan Melbourne.
- 131 **DR NAPTHINE** — To move, That this House condemns the Minister for Transport and the city-centric Bracks Labor Government for failing to meet its election promise to have the Warrnambool Deakin University Railway Platform built and in operation by November 2003 and notes that to date there has been no work on the site of this promised Deakin Railway Platform.
- 132 **MR SYKES** — To move, That this House condemns the Government for its abject failure to consult local communities and property owners in particular, prior to its recent announcement that locations at Baddaginnie, Pittong and Tiega have been identified as prospective sites for a hazardous waste dump and calls upon the Government to now release all relevant information giving rise to its decision so that appropriate community consultation can take place regarding this critical issue.
- 133 **MRS SHARDEY** — To move, That the Bracks Government, and in particular the Minister for Transport and the Minister for Community Services, be condemned for failing to take appropriate action to curb the fraud the Government has been aware of since at least 2001, being perpetrated under the Multi-Purpose Taxi Program and instead punishing the Victorians of the fraud by introducing appalling changes to the scheme which will decimate benefits for the disabled and the elderly, leave them trapped in their homes and deny them their human right to

fully participate in society, a right which was supposed to be guaranteed under the Victorian State Disability Plan.

- 134 **MR THOMPSON** — To move, That the Bracks Government, and in particular the Minister for Transport and the Minister for Community Services, be condemned for failing to take appropriate action to curb fraud being perpetrated under the Multi-Purpose Taxi Program and instead punishing the victims of the fraud by introducing appalling changes to the scheme which will decimate benefits for the disabled, and in particular the ethnic disabled, leave them trapped in their homes and deny them their human right to fully participate in society, a right which was supposed to be guaranteed under the Victorian State Disability Plan.
- 135 **DR NAPHTHINE** — To move, That this House condemns the city-centric Bracks Labor Government for its failure to provide \$1 million, being the State's share of funding for Warrnambool's Brauerander Park Athletics Community and Sporting Development, despite the Premier saying in 2001 that his Government would be happy to contribute towards a three-way partnership involving local, state and federal governments and noting that contributions have already been received from the Federal Government (\$1 million), local government and the local community.
- 136 **DR NAPHTHINE** — To move, That this House condemns the city-centric Bracks Labor Government for discriminating against regional and rural Victoria in public housing expenditure with only 17.8 per cent of funding for rental acquisitions, 15.7 per cent of funding for improvements and 8.3 per cent of funding for redevelopments allocated to projects in regional and rural Victoria, despite 27 per cent of Victorians living in these areas and a significantly growing public housing waiting list in country areas.
- 137 **MRS SHARDEY** — To move, That the Bracks Government be condemned for cutting budget funds to homeless assistance programs both last year and this year, by \$12.2 million in 2002–03 from the expected outcome for 2001–02 and by \$18.7 million from the 2002–03 outcome to the 2003–04 target, and its failure to provide crisis accommodation in the Dandenong area promised some three years ago despite the increase reported on 19 November 2003 in Victoria's homeless of 14 per cent, a figure which should provide a wake-up call to a Government which has been big on rhetoric and short on getting the job done.
- 138 **MR PERTON** — To move, That this House condemns the Bracks Government for failing the students of Daylesford Primary School by deliberately setting a staffing budget for the school which will force the school to shed experienced staff and cut support programs for students and, further, that this House agrees with the School Council President, Colin Priest, that this is 'deplorable for a Government that had education as a key election promise' and 'this funding crisis is having a negative effect on teacher and student morale'.
- 139 **MR PERTON** — To move, That this House condemns the Member for Ballarat East for failing the students of Daylesford Primary School by acquiescing to the Bracks Government staffing budget for the school which will force it to shed experienced staff and cut support programs for students and further condemns him for failing to defend the right to a good education in the state schools of Daylesford.
- 140 **MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Thomastown West Primary School by capriciously imposing a \$10,000 WorkCover penalty which will cause a reduction in the size of the teaching staff at the school and, further, that this House agrees with the School Council

President, Lisa Courescas, that this Government should 'rescind this unjust financial imposition on schools'.

- 141 **MR PERTON** — To move, That this House condemns the Member for Thomastown for failing the students of Thomastown West Primary School by acquiescing to the Government's imposition of a \$10,000 WorkCover penalty and failing to stand up for the rights of the students and parents of Thomastown West Primary School.
- 142 **MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Lorne-Airey's Inlet P-12 College by capriciously imposing a \$10,000 WorkCover penalty which will cause a reduction in the size of the teaching staff at the school and further, that this House expresses its support for the School Council President, Angus McKenzie, who has said, 'this school council is disappointed and angry at the Government's policy of devolving WorkCover premium to schools; we have already endured one bitter disappointment this year when the long awaited building project was not listed for master planning'.
- 143 **MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Daylesford Secondary College by capriciously imposing a WorkCover penalty which will cause a reduction in the size of the VCE teaching staff at the school and, further, that this House agrees with the Daylesford Secondary College School Council President, Barry Golding, and the Principal, Heather McIntyre, that 'this policy is an indictment on those who wrote it and those who support it; in the end the losers are our students'.
- 144 **MR PERTON** — To move, That this House condemns the Member for Ballarat East for failing the students of Daylesford Secondary College by acquiescing to the Bracks Government staffing budget for the school which will force it to shed staff because of a WorkCover penalty imposed by the Minister for Education Services and further condemns him for failing to defend the right of children to a good education in the state school of Daylesford.
- 145 **MR PERTON** — To move, That this House dissents from the ruling of the Speaker on 19 November 2003 when she used Sessional Order 10 in an impulsive fashion and for her refusal to follow the ruling of Deputy Speaker McGarth recorded in the *Rulings from the Chair*, July 2003, at p 71 which reports as follows 'the Deputy Speaker drew attention of the House to his concern about continual requests for the withdrawal of words that have, in the past, been used regularly in the cut and thrust of debate. He pointed out that when members decide to take exception to words used in the House, they should be mindful that they do not paint themselves in a corner and so reduce the vocabulary that can be used that future debates will be inhibited and that common sense is needed' and instead for using the narrowest interpretation of parliamentary practice.
- 146 **\*MS ASHER** — To move, That this House condemns the Minister for Manufacturing for exhibiting far more interest in overseas trips, photographic self-promotion and fancy new pin-striped suits than in the families affected by the Government's decision to foist a toxic waste dump on farming communities.
- 147 **\*MS ASHER** — To move, That this House condemns the Minister for Manufacturing for his cavalier and supercilious attitude to Victorians as evidenced by his expenditure of over \$100,000 on advertisements featuring his own photo, his extensive overseas travel and his regal-like insistence that families affected by the Government's proposed toxic waste dump at Tiega drive 1¼ hours to Mildura to see him, rather than the Minister visiting the families themselves and

expresses support for Renee Morrish's statement that 'he [the Minister] did not have the guts to come to us — my parents had to go to him in Mildura'.

- 148 \***MR BAILLIEU** — To move, That this House condemns the Minister for Planning for — (a) doing nothing to prevent the recent but repeated refusal of applications for in-ground swimming pools by VCAT, and the Cities of Glen Eira and Boroondara in particular, on the grounds that excavations for such pools would constitute 'quarrying' and hence be in conflict with old covenants preventing quarrying or mining in metropolitan Melbourne; and (b) forcing residents with applications to expend tens of thousands of dollars pursuing legally difficult applications for covenant removals despite in-ground pools existing in immediately adjacent homes.
- 149 \***DR NAPHTHINE** — To move, That this House condemns the uncaring city-centric Bracks Labor Government for its failure to support the provision of a much needed life-saving multi-purpose emergency helicopter service for south-west Victoria and notes that this service would have been used on 22 November 2003 to recover and transport to hospital a 15 year old with a broken femur from the isolated sand dunes of the Swan Lake area and that, without this service, this young man had to be physically carried for 4 to 4½ hours across these dunes prior to being placed into an ambulance and taken another hour to hospital.
- 150 \***MR BAILLIEU** — To move, That this House congratulates the Australian Rugby Union for its exemplary conduct of the 2003 World Cup, Martin Johnson and the English team for their amazing last gasp victory, George Gregan and the Wallabies for their sensational efforts and all other teams, fans and volunteers for their high-spirited, good-hearted support of the heavenly game and this tournament in particular and urges the earliest possible inclusion of a Victorian team in the Super 12 competition, pending a return bout in 2007.
- 151 \***MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Osborne Primary School by capriciously imposing a \$10,000 WorkCover penalty which will cause anxiety for the school and its management and further, that this House expresses its support for the School Council President of Osborne Primary School Mr Ric Bugg, who has said 'were the school to move to a significant WorkCover disincentive in the future, (potentially through no fault of our own), up to \$10,000 would not be available for the education of our children; we find this totally unacceptable'.
- 152 \***MR PERTON** — To move, That this House condemns the Member for Western Port for failing the students of Osborne Primary School by acquiescing to the Government's imposition of a WorkCover penalty and failing to stand up for the rights of the students and parents of Osborne Primary School.
- 153 \***MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Highvale Secondary College by capriciously imposing a \$10,000 WorkCover penalty which will cause anxiety for the school and its management insofar as they acknowledge that under this system 'anticipated savings can quickly turn into an actual loss as a result of a serious but unpreventable accident'; and (b) expresses its support for the College Council President, Mr Daryl Lynch, who says 'the Highvale Secondary College Council wishes to express in the strongest terms its opposition to the imposition of the partial transfer of responsibility for WorkCover to schools in 2004 and asks that this decision be reversed ...; the threat of this WorkCover disincentive arrangement will compromise schools keen to improve conditions through additional local fundraising, as well as creating considerable uncertainty in their budgeting for future expenditure ...'.

- 154 \***DR NAPHTHINE** — To move, That this House condemns the Minister for Education Services and the Bracks Labor Government for failing the students of government schools throughout south-west Victoria through the unfair and unjustified imposition of WorkCover penalties of up to \$10,000 on these schools, forcing schools to reduce staff, curriculum programs and/or student services and calls on the Government to act in the best interests of students and state education by rescinding this unjust financial imposition on hard working local schools.
- 155 \***MR BAILLIEU** — To move, That this House condemns the Minister for Planning for knowingly misleading the House when she said in debate on changes to the Urban Growth Boundary that public submissions made on the implementation of Melbourne 2030 were available on the Government website when they are not, and never have been.
- 156 \* **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to provide any legal advice that submissions made on the implementation of Melbourne 2030 could not be made available because of the Privacy Act (as claimed at a briefing on changes to the Urban Growth Boundary) when the request for submissions specifically contemplated public release and legislation and standard practice provides that all submissions to panels are made public.
- 157 \***MR THOMPSON** — To move, That this House condemns the Bracks Government for the funding cuts to school sporting bodies which will result in Victorian school children being — (a) deprived of the opportunity to participate in sporting activities which have been identified as the major response to childhood obesity; (b) unable to represent their State in interstate competitions; and (c) disadvantaged at national competitions due to the lack of available sporting carnivals.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Naphthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).

- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).
- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27, 28 August and 18 September 2003*) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).

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- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August and 29 October 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (*16 September 2003*) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (*16 September 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (*16 September and 8 October 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).

- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September and 16 October 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS** — Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).
- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (*7 October 2003*) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (*7 and 8 October 2003*) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).

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- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (8 October 2003) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).
- 41 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland South (15 October 2003) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ryan*).
- 42 **AQUATIC CENTRE FOR FRANKSTON** — Petition presented by the Member for Frankston (15 October 2003) — Requesting the building of an aquatic centre in Frankston — To be considered (*Mr Harkness*).
- 43 **HOUSING RENTAL REBATE POLICY** — Petition presented by the Member for Mildura (16 October 2003) — Relating to amending the rental rebate policy so that all public housing tenants will pay the rebate rent at the rate of 23 per cent of total household income — To be considered (*Mr Savage*).
- 44 **CUTS TO COMMUNITY SERVICES** — Petition presented by the Member for Mildura (16 October 2003) — Relating to exempting community services such as family support, children's services, services to people with disabilities, alcohol and drug counselling services and housing support, from planned cuts — To be considered (*Mr Savage*).
- 45 **FUNDING FOR STUDENTS ON DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Forest Hill (16 October 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Perton*).
- 46 **VICTORIAN SCHOOL OF LANGUAGES AT FOUNTAIN GATE** — Petition presented by the Member for Cranbourne (28 October 2003) — Requesting that the Victorian School of Languages at Fountain Gate not be relocated at Lyndale Secondary College, North Dandenong — To be considered (*Mr Perton*).
- 47 **'THE GAP' CAMPING GROUND AT WARATAH BAY** — Petition presented by the Member for Gippsland South (29 October 2003) — Relating to retaining 'The Gap' camping ground at Waratah Bay — To be considered (*Mr Ryan*).
- 48 **KNOX CITY COUNCIL** — Petition presented by the Member for Bayswater (30 October and 20 November 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Lockwood*).
- 49 **KNOX CITY COUNCIL** — Petition presented by the Member for Burwood (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Stensholt*).
- 50 **KNOX CITY COUNCIL** — Petition presented by the Member for Evelyn (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms McTaggart*).
- 51 **KNOX CITY COUNCIL** — Petition presented by the Member for Ferntree Gully (30 October, 6 and 20 November 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Eckstein*).

- 52 **KNOX CITY COUNCIL** — Petition presented by the Member for Yan Yean (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Green*).
- 53 **KNOX CITY COUNCIL** — Petition presented by the Member for Kilsyth (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Beard*).
- 54 **KNOX CITY COUNCIL** — Petition presented by the Member for Monbulk (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Merlino*).
- 55 **KYNETON-BENDIGO AND WATERGARDENS-BENDIGO RAIL TRACKS** — Petition presented by the Member for Ivanhoe (*5 November 2003*) — Relating to retaining the double rail track between Kyneton and Bendigo and ensuring that any sleepers ordered for the upgrading of the Watergardens to Bendigo rail line be capable of being gauge converted — To be considered (*Mr Mulder*).
- 56 **KNOX CITY COUNCIL** — Petition presented by the Member for Scoresby (*18 November 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered — (*Mr Wells*).
- 57 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*20 November 2003*) — Requesting that the House does not ratify Amendment No C27 to the Nillumbik Planning Scheme until its impact on stakeholders is fully investigated — To be considered — (*Mrs Powell*).

## **BUSINESS LISTED FOR FUTURE DAY**

**THURSDAY 4 DECEMBER 2003**

**GOVERNMENT BUSINESS**

**ORDER OF THE DAY**

- 1 **GAS INDUSTRY (RESIDUAL PROVISIONS) (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Naphtine)*.

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003 AND AMENDED ON 16 SEPTEMBER AND 28 OCTOBER 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

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**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|   |             |
|---|-------------|
| Mover .....                                     | unlimited   |
| Lead speaker in response from opposition .....  | 30 minutes* |
| Lead speaker in response from third party ..... | 20 minutes* |
| Any other member .....                          | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|   |            |
|---|------------|
| Mover .....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each ..... | 30 minutes |
| Lead speaker in response from third party .....                         | 20 minutes |
| Any other member .....  | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

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**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the remainder of 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.



# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 45

**Thursday 27 November 2003**  
*The Speaker takes the Chair at 9.30 am*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### NOTICE OF MOTION

- 1 **MS DELAHUNTY** (*Northcote*) — To move, That pursuant to s 46D(1)(c) of the *Planning and Environment Act 1987*, Amendment No 116 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved.

#### ORDERS OF THE DAY

- 1 **NURSES (AMENDMENT) BILL** — Second reading.
- 2 **PUBLIC PROSECUTIONS (AMENDMENT) BILL** — Second reading.
- 3 **GAMBLING REGULATION BILL** — *Resumption of debate 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 House refuses to read this Bill a second time until interested stakeholders including pubs and clubs, anti-gaming activists and the general public have been genuinely consulted on — the appropriate regulation of signage after an independent cost-benefit analysis of the Government’s proposals on signage; the Government’s inappropriate use of the Community Support Fund under the current legislation; and the inability of the Government to control or diminish serious individual problems of gambling addiction’ (*Mr Seitz*).
- 4 **PARLIAMENTARY COMMITTEES BILL** — Second reading — *Resumption of debate* (*Mr Cameron*).
- 5 **WRONGS (REMARRIAGE DISCOUNT) BILL** — Second reading — *Resumption of debate* (*Mr McIntosh*).
- 6 **UNCLAIMED MONEYS (AMENDMENT) BILL** — Second reading — *Resumption of debate* (*Mr Clark*).

7 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.**GENERAL BUSINESS****NOTICES OF MOTION**1 **MR DOYLE** — To move, That —

- (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;
- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;

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- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
  - (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
  - (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
  - (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
  - (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
  - (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
  - (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.
- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.
- 3 **MR HONEYWOOD** — To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria's precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision

of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.

- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT's reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT's operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.
- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.

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- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP’s election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.
- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.

- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads' computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the

practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;

- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
- (c) The Committee has the power to send for persons, papers and records;
- (d) The Committee shall elect one of its members to be Chair;
- (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) Five members of the Committee to be the quorum;
- (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) The Committee shall sit on days on which both Houses do not meet;
- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.

32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.

- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.
- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.

- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.
- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of

embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.

- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.
- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.

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- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.
- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.

- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.
- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the 'no tolling Scoresby Freeway' public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning 'deliberately' misled this House and the people of Victoria on 6 and 8 May 2003.

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- 81 **DR NAPTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government's own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government's home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.
- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words 'urgently needed' new relocatable classrooms for Victoria's schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia's mental illness but also her tragic death from cancer last year, following a long

problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.

- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.
- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.

- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria’s rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government’.
- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.
- 101 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his deliberate avoidance of parliamentary scrutiny in that he proposed enhanced key performance indicators for the previous Minister for Manufacturing Industry, the Hon Rob Hulls, MP, yet upon his own appointment as Minister, he informed the Public Accounts and Estimates Committee that he is not prepared to accept the increased level of parliamentary scrutiny he advocated for the previous Minister.
- 102 **MR INGRAM** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria and condemns the Federal Leader of the Nationals, the Hon John Anderson, MP for his comments accusing those who oppose the full sale of Telstra of spreading lies, misinformation and being scaremongers, when 80 per cent of the constituents of Gippsland East are opposed to the full sale of Telstra; and (b) commends the Federal independent members Mr Peter Andren, MP, Mr Tony Windsor, MP and the Hon Bob Katter, MP for standing firm against any further sale.
- 103 **MR SAVAGE** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria; and (b) commends the Federal Liberal Member for Hume, Mr Alby Schultz, for his strident opposition to the full sale of Telstra and his observation on the National Party when he said, ‘I abhor what the National Party stands for because it compromises itself at every opportunity’.
- 104 **MR RYAN** — To move, That this House commends the policy of the Nationals at a Federal and State level that there be no further sale of the remaining public interest in Telstra unless and until appropriate levels of service are provided to rural and regional Australians.
- 105 **MR HONEYWOOD** — To move, That this House condemns the Treasurer for — (a) misleading the people of Victoria regarding his and the Bracks Government’s involvement in the national Strategic Investment Incentive Program when he claimed that other States and Christmas Island were receiving greater Federal Government hand-outs from this program than Victoria when the truth is that this funding program is based on applications sponsored by State and Territory Governments; and (b) applying for an embarrassingly low number of grants that amount to less than 10 per cent of the total funding applications nationwide.
- 106 **MR RYAN** — To move, That the Standing Orders Committee considers and recommends amendments to the standing orders and /or the sessional orders of this Parliament to facilitate the establishment of a system of mediation of those occasional disputes which may arise between members, such mediation process to be a compulsory precursor to the reference of any such

disputes to any other form of determination, on the basis that the introduction of such a system would be entirely in keeping with similar structures that apply in most other community and legal forums, and would represent a practical and a preferable option to alternative avenues such as reference to the Privileges Committee which was never designed or referenced to deal with matters of this nature.

- 107 **MR CLARK** — To move, That this House deplores the false claim by the Treasurer in question time yesterday that the former government could never cut payroll tax, when in fact the former government cut payroll tax on three separate occasions with an overall reduction in the rate of tax from 7 per cent to 5¾ per cent, and calls on the Treasurer to correct his statement in accordance with the established practices of the House.
- 108 **MR MULDER** — To move, That this House — (a) condemns the Minister for Transport for his cowardly and misleading attack on the City of Knox, claiming that the City of Knox were law breakers and had placed ‘No Tolls’ signs on a declared road network, as since this outrageous claim was made by the Minister in this House, VicRoads have found that the ‘No Tolls’ bill board was in fact not on the road reserve and the City of Knox had not broken the law; and (b) eagerly awaits the Minister for Transport’s personal explanation and full apology to the City of Knox.
- 109 **MR INGRAM** — To move, That this House takes note of the comments on the adjournment debate of 28 October 2003 by the Leader of the Upper House in the other place, the Hon John Lenders, when he, in commenting about a recent visit to the electorate office of Bass, stated a number of constituents were pining for the days when the former Member for Gippsland West was their local member, because she did a much better job than the current Member for Bass who they now never see or hear of.
- 110 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Drugs and Crime Prevention Committee to stand up to the Premier’s outrageous ‘Guidelines for Submissions and Responses to Inquiries’ that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members’ responsibilities to this Parliament’s independent committee work.
- 111 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Economic Development Committee to stand up to the Premier’s outrageous ‘Guidelines for Submissions and Responses to Inquiries’ that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members’ responsibilities to this Parliament’s independent committee work.
- 112 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Law Reform Committee to stand up to the Premier’s outrageous ‘Guidelines for Submissions and Responses to Inquiries’ that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to

compromise Government members' responsibilities to this Parliament's independent committee work.

- 113 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Environment and Natural Resources Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 114 **MR McINTOSH** — To move, That the Premier urgently gives a reference to the Scrutiny of Acts and Regulations Committee to inquire into whether the Department of Premier and Cabinet's 'Guidelines for Submissions and Responses to Inquiries' unduly trespasses upon the rights and freedoms of the Parliament of Victoria or insufficiently subjects the Bracks Government to proper parliamentary scrutiny.
- 115 **MR KOTSIRAS** — To move, That this House calls on the Chair and other Government members of the all-party Education and Training Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 116 **MRS SHARDEY** — To move, That this House calls on the Chair and other Government members of the all-party Family and Community Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 117 **MR SMITH** — To move, That this House calls on the Chair and other Government members of the all-party House Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 118 **MR MULDER** — To move, That this House calls on the Chair and other Government members of the all-party Road Safety Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

- 119 **MR DIXON** — To move, That this House calls on the Chair and other Government members of the all-party Outer Suburban/Interface Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 120 **DR NAPHTHINE** — To move, That this House calls on the Chair and other Government members of the all-party Rural and Regional Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 121 **MR PERTON** — To move, That this House calls on the Chair and other Government members of the all-party Public Accounts and Estimates Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 122 **MR LANGDON** — To move, That this House congratulates the members of the Library Committee for refusing to play stupid political games.
- 123 **MR STENSHOLT** — To move, That the Opposition be condemned for not being willing to stand up for anything when it comes to parliamentary committees but being only willing to read out parrot-like.
- 124 **DR NAPHTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for doing nothing whilst waiting lists and waiting times for essential public dental services in rural and regional Victoria have significantly increased; and (b) notes, in particular, that the Government has failed to act whilst waiting times for dentures and general dental care have now increased to more than four years in Warrnambool, Portland and Hamilton, causing serious pain and suffering to those in need of vital dental care.
- 125 **MR INGRAM** — To move, That this House calls on the Government to endorse the continuation of game hunting and, in particular, duck shooting, as a legitimate sporting activity in Victoria due to its cultural significance and economic benefits to regional areas.
- 126 **MR SAVAGE** — To move, That this House calls on the Government to commit to the 2004 duck season due to its cultural significance and economic benefits to Victoria.
- 127 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to protect Melbourne's open space resources and undermining the amenity of that open space including at Royal Park, Jolimont, Kew Cottages, Burnley Gardens, Werribee, Frankston, Bayswater and the Yarra.

- 128 **DR NAPHTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for its failure to respond to the well-presented business plan from the Westvic Helicopter Board by the date promised by Premier Bracks of 30 June 2003; and (b) notes that the south-west remains the only area of rural Victoria not covered by a helicopter rescue service and understands the importance of this service for search and rescue, air ambulance services, fire fighting and police activities, and also recognises the very real life saving benefits of this service.
- 129 **MR BAILLIEU** — To move, That this House condemns the Minister for Transport and the Minister for Planning for their silence on the proposed closure of the Swanston Street entrance to Melbourne Central Train Station on the corner of La Trobe Street which will inconvenience thousands of public transport users, disrupt the popular train/tram interchange and force commuters to undertake a circuitous route through the Melbourne Central Shopping centre to access the station.
- 130 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for doing nothing to prevent the practice of Councils rejecting applications for in-ground swimming pools because of their clearly ludicrous and arbitrary contention that the excavation involved would contravene local covenants preventing quarry or mining in metropolitan Melbourne.
- 131 **DR NAPHTHINE** — To move, That this House condemns the Minister for Transport and the city-centric Bracks Labor Government for failing to meet its election promise to have the Warrnambool Deakin University Railway Platform built and in operation by November 2003 and notes that to date there has been no work on the site of this promised Deakin Railway Platform.
- 132 **MR SYKES** — To move, That this House condemns the Government for its abject failure to consult local communities and property owners in particular, prior to its recent announcement that locations at Baddaginnie, Pittong and Tiega have been identified as prospective sites for a hazardous waste dump and calls upon the Government to now release all relevant information giving rise to its decision so that appropriate community consultation can take place regarding this critical issue.
- 133 **MRS SHARDEY** — To move, That the Bracks Government, and in particular the Minister for Transport and the Minister for Community Services, be condemned for failing to take appropriate action to curb the fraud the Government has been aware of since at least 2001, being perpetrated under the Multi-Purpose Taxi Program and instead punishing the Victorians of the fraud by introducing appalling changes to the scheme which will decimate benefits for the disabled and the elderly, leave them trapped in their homes and deny them their human right to fully participate in society, a right which was supposed to be guaranteed under the Victorian State Disability Plan.
- 134 **MR THOMPSON** — To move, That the Bracks Government, and in particular the Minister for Transport and the Minister for Community Services, be condemned for failing to take appropriate action to curb fraud being perpetrated under the Multi-Purpose Taxi Program and instead punishing the victims of the fraud by introducing appalling changes to the scheme which will decimate benefits for the disabled, and in particular the ethnic disabled, leave them trapped in their homes and deny them their human right to fully participate in society, a right which was supposed to be guaranteed under the Victorian State Disability Plan.

- 135 **DR NAPTHINE** — To move, That this House condemns the city-centric Bracks Labor Government for its failure to provide \$1 million, being the State's share of funding for Warrnambool's Brauerander Park Athletics Community and Sporting Development, despite the Premier saying in 2001 that his Government would be happy to contribute towards a three-way partnership involving local, state and federal governments and noting that contributions have already been received from the Federal Government (\$1 million), local government and the local community.
- 136 **DR NAPTHINE** — To move, That this House condemns the city-centric Bracks Labor Government for discriminating against regional and rural Victoria in public housing expenditure with only 17.8 per cent of funding for rental acquisitions, 15.7 per cent of funding for improvements and 8.3 per cent of funding for redevelopments allocated to projects in regional and rural Victoria, despite 27 per cent of Victorians living in these areas and a significantly growing public housing waiting list in country areas.
- 137 **MRS SHARDEY** — To move, That the Bracks Government be condemned for cutting budget funds to homeless assistance programs both last year and this year, by \$12.2 million in 2002–03 from the expected outcome for 2001–02 and by \$18.7 million from the 2002–03 outcome to the 2003–04 target, and its failure to provide crisis accommodation in the Dandenong area promised some three years ago despite the increase reported on 19 November 2003 in Victoria's homeless of 14 per cent, a figure which should provide a wake-up call to a Government which has been big on rhetoric and short on getting the job done.
- 138 **MR PERTON** — To move, That this House condemns the Bracks Government for failing the students of Daylesford Primary School by deliberately setting a staffing budget for the school which will force the school to shed experienced staff and cut support programs for students and, further, that this House agrees with the School Council President, Colin Priest, that this is 'deplorable for a Government that had education as a key election promise' and 'this funding crisis is having a negative effect on teacher and student morale'.
- 139 **MR PERTON** — To move, That this House condemns the Member for Ballarat East for failing the students of Daylesford Primary School by acquiescing to the Bracks Government staffing budget for the school which will force it to shed experienced staff and cut support programs for students and further condemns him for failing to defend the right to a good education in the state schools of Daylesford.
- 140 **MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Thomastown West Primary School by capriciously imposing a \$10,000 WorkCover penalty which will cause a reduction in the size of the teaching staff at the school and, further, that this House agrees with the School Council President, Lisa Courescas, that this Government should 'rescind this unjust financial imposition on schools'.
- 141 **MR PERTON** — To move, That this House condemns the Member for Thomastown for failing the students of Thomastown West Primary School by acquiescing to the Government's imposition of a \$10,000 WorkCover penalty and failing to stand up for the rights of the students and parents of Thomastown West Primary School.
- 142 **MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Lorne-Airey's Inlet P-12 College by capriciously imposing a \$10,000 WorkCover penalty which will cause a reduction in the size of the teaching staff at the school and further, that this House expresses its support for the School

Council President, Angus McKenzie, who has said, 'this school council is disappointed and angry at the Government's policy of devolving WorkCover premium to schools; we have already endured one bitter disappointment this year when the long awaited building project was not listed for master planning'.

- 143 **MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Daylesford Secondary College by capriciously imposing a WorkCover penalty which will cause a reduction in the size of the VCE teaching staff at the school and, further, that this House agrees with the Daylesford Secondary College School Council President, Barry Golding, and the Principal, Heather McIntyre, that 'this policy is an indictment on those who wrote it and those who support it; in the end the losers are our students'.
- 144 **MR PERTON** — To move, That this House condemns the Member for Ballarat East for failing the students of Daylesford Secondary College by acquiescing to the Bracks Government staffing budget for the school which will force it to shed staff because of a WorkCover penalty imposed by the Minister for Education Services and further condemns him for failing to defend the right of children to a good education in the state school of Daylesford.
- 145 **MR PERTON** — To move, That this House dissents from the ruling of the Speaker on 19 November 2003 when she used Sessional Order 10 in an impulsive fashion and for her refusal to follow the ruling of Deputy Speaker McGarth recorded in the *Rulings from the Chair*, July 2003, at p 71 which reports as follows 'the Deputy Speaker drew attention of the House to his concern about continual requests for the withdrawal of words that have, in the past, been used regularly in the cut and thrust of debate. He pointed out that when members decide to take exception to words used in the House, they should be mindful that they do not paint themselves in a corner and so reduce the vocabulary that can be used that future debates will be inhibited and that common sense is needed' and instead for using the narrowest interpretation of parliamentary practice.
- 146 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing for exhibiting far more interest in overseas trips, photographic self-promotion and fancy new pin-striped suits than in the families affected by the Government's decision to foist a toxic waste dump on farming communities.
- 147 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing for his cavalier and supercilious attitude to Victorians as evidenced by his expenditure of over \$100,000 on advertisements featuring his own photo, his extensive overseas travel and his regal-like insistence that families affected by the Government's proposed toxic waste dump at Tiega drive 1¼ hours to Mildura to see him, rather than the Minister visiting the families themselves and expresses support for Renee Morrish's statement that 'he [the Minister] did not have the guts to come to us — my parents had to go to him in Mildura'.
- 148 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for — (a) doing nothing to prevent the recent but repeated refusal of applications for in-ground swimming pools by VCAT, and the Cities of Glen Eira and Boroondara in particular, on the grounds that excavations for such pools would constitute 'quarrying' and hence be in conflict with old covenants preventing quarrying or mining in metropolitan Melbourne; and (b) forcing residents with applications to expend tens of thousands of dollars pursuing legally difficult applications for covenant removals despite in-ground pools existing in immediately adjacent homes.

- 149 **DR NAPHTHINE** — To move, That this House condemns the uncaring city-centric Bracks Labor Government for its failure to support the provision of a much needed life-saving multi-purpose emergency helicopter service for south-west Victoria and notes that this service would have been used on 22 November 2003 to recover and transport to hospital a 15 year old with a broken femur from the isolated sand dunes of the Swan Lake area and that, without this service, this young man had to be physically carried for 4 to 4½ hours across these dunes prior to being placed into an ambulance and taken another hour to hospital.
- 150 **MR BAILLIEU** — To move, That this House congratulates the Australian Rugby Union for its exemplary conduct of the 2003 World Cup, Martin Johnson and the English team for their amazing last gasp victory, George Gregan and the Wallabies for their sensational efforts and all other teams, fans and volunteers for their high-spirited, good-hearted support of the heavenly game and this tournament in particular and urges the earliest possible inclusion of a Victorian team in the Super 12 competition, pending a return bout in 2007.
- 151 **MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Osborne Primary School by capriciously imposing a \$10,000 WorkCover penalty which will cause anxiety for the school and its management and further, that this House expresses its support for the School Council President of Osborne Primary School Mr Ric Bugg, who has said ‘were the school to move to a significant WorkCover disincentive in the future, (potentially through no fault of our own), up to \$10,000 would not be available for the education of our children; we find this totally unacceptable’.
- 152 **MR PERTON** — To move, That this House condemns the Member for Western Port for failing the students of Osborne Primary School by acquiescing to the Government’s imposition of a WorkCover penalty and failing to stand up for the rights of the students and parents of Osborne Primary School.
- 153 **MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Highvale Secondary College by capriciously imposing a \$10,000 WorkCover penalty which will cause anxiety for the school and its management insofar as they acknowledge that under this system ‘anticipated savings can quickly turn into an actual loss as a result of a serious but unpreventable accident’; and (b) expresses its support for the College Council President, Mr Daryl Lynch, who says ‘the Highvale Secondary College Council wishes to express in the strongest terms its opposition to the imposition of the partial transfer of responsibility for WorkCover to schools in 2004 and asks that this decision be reversed ...; the threat of this WorkCover disincentive arrangement will compromise schools keen to improve conditions through additional local fundraising, as well as creating considerable uncertainty in their budgeting for future expenditure ...’.
- 154 **DR NAPHTHINE** — To move, That this House condemns the Minister for Education Services and the Bracks Labor Government for failing the students of government schools throughout south-west Victoria through the unfair and unjustified imposition of WorkCover penalties of up to \$10,000 on these schools, forcing schools to reduce staff, curriculum programs and/or student services and calls on the Government to act in the best interests of students and state education by rescinding this unjust financial imposition on hard working local schools.
- 155 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for knowingly misleading the House when she said in debate on changes to the Urban Growth Boundary that public submissions made on the implementation of Melbourne 2030 were available on the Government website when they are not, and never have been.

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- 156 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to provide any legal advice that submissions made on the implementation of Melbourne 2030 could not be made available because of the Privacy Act (as claimed at a briefing on changes to the Urban Growth Boundary) when the request for submissions specifically contemplated public release and legislation and standard practice provides that all submissions to panels are made public.
- 157 **MR THOMPSON** — To move, That this House condemns the Bracks Government for the funding cuts to school sporting bodies which will result in Victorian school children being — (a) deprived of the opportunity to participate in sporting activities which have been identified as the major response to childhood obesity; (b) unable to represent their State in interstate competitions; and (c) disadvantaged at national competitions due to the lack of available sporting carnivals.
- 158 \***MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Coburg West Primary School by capriciously imposing a \$10,000 WorkCover penalty and further, that this House notes the comment of the school council which states — ‘(a) our school has incurred a premium cost to the school of \$10,000 which will have a considerable impact on the education provided to the children; as this premium will be deducted from the staffing credit component in the school global budget the direct result is there will be less teaching time available; (b) we agree that schools should be prepared to accept responsibility for situations that they believe are within their sphere of management, but in many cases WorkCover liabilities are way beyond our control; and (c) at our school we take the responsibility of providing a safe workplace extremely seriously and have in place a rigorous process of safety inspections including the provision of professional development in voice care’.
- 159 \***MR PERTON** — To move, That this House condemns the Member for Brunswick for failing the students of Coburg West Primary School by acquiescing to the Government’s imposition of a \$10,000 WorkCover penalty and failing to stand up for the rights of the students and parents of Coburg West Primary School.
- 160 \***MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Traralgon South Primary School by capriciously imposing a \$2,900 WorkCover penalty which will cause great financial hardship to this small school community whose annual income through fundraising will be absorbed; and (b) expresses its support for the School Council President of Traralgon South Primary School Chris Madsen who commented ‘the school council believes that these changes unfairly impose a financial penalty on schools that ultimately penalises students at our school ... we also object to the proposed capping thresholds and methods of calculation; for our school the ‘penalty’ cap is set at \$2,900, yet the ‘incentive’ cap is a mere \$580’.
- 161 \***MR PERTON** — To move, That this House condemns the Member for Morwell for failing the students of Traralgon South Primary School by acquiescing to the Government’s imposition of a \$2,900 WorkCover penalty and failing to stand up for the rights of the students and parents of Traralgon South Primary School.

- 162 \***MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Gilmore College for Girls, by capriciously imposing a \$10,000 WorkCover penalty; and (b) notes the comment of the school that ‘one of the teachers fell over a piece of uneven pavement while on a school excursion; what could we have done to prevent this ... we have recently been awarded the National Literacy Award receiving \$10,000 to strengthen our laudable work in this area; perhaps we should simply redirect the cheque’.
- 163 \***MR PERTON** — To move, That this House condemns the Member for Footscray for failing the students of Gilmore College for Girls by acquiescing to the Government’s imposition of a \$10,000 WorkCover penalty and failing to stand up for the rights of students and parents of Gilmore College for Girls.
- 164 \***MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to release the Victorian Wind Atlas as promised and for continuing to conceal its contents from stakeholders, particularly local councils and resident groups, when that same Wind Atlas has been made available to the wind industry.
- 165 \***MR BAILLIEU** — To move, That this House condemns the Minister for Planning for ruling out the requirement for an environment effects statement for the proposed Ballan windfarm against the wishes of local residents and the local council.
- 166 \***MR BAILLIEU** — To move, That this House condemns the Premier for riding roughshod over local communities and for mistreating correspondence strongly critical of the Government’s decision on the Burnley Gardens development and, indeed, writing back thanking just such a correspondent for his ‘support for the proposed development’.
- 167 \***MS BEATTIE** — To move, That this House notes that experience rating in WorkCover was implemented by the Liberal-National Government to encourage greater management control for injuries and condemns the Member for Doncaster for his back-flip.
- 168 \***MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Greenvale Primary School by capriciously imposing a WorkCover penalty which will cause great financial hardship to this school whose annual income through fundraising, along with all of its direct educational benefits to the students, will be absorbed by this impost; and (b) expresses its support for the School Council President of Greenvale Primary School, Mr Glen Moore, who has said ‘... this will just put more pressure on the school’s ability to deliver its programs which basically means the kids will miss out for what I believe to be a penny pinching exercise by the State Government ... the Government seems to have little idea of the nature of the work teachers, principals, assistant principals etcetera have in today’s environment ...’.
- 169 \***MR PERTON** — To move, That this House condemns the Member for Yuroke, the Member for Melbourne North Province; the Minister for Local Government, and Housing, and the Minister for Small Business, and Information and Communication Technology, for failing the students of Greenvale Primary School by acquiescing to the Government’s imposition of a WorkCover penalty and failing to stand up for the rights of the students and parents of Greenvale Primary School.
- 170 \***MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Drysdale Primary School by capriciously imposing a system of WorkCover penalties which will cause anxiety for the school

and its management who will have to work hard to preserve the slender \$9 margin keeping them in credit and not deficit this year; and (b) agrees with the School Council President Jim Day, and Principal Claire Wilson, who say 'it is the Department's ultimate responsibility to ensure a safe workplace for their employees ... parents should not have to see their fundraising monies spent on WorkCover premium liabilities'.

- 171 \***MR PERTON** — To move, That this House condemns the Member for Bellarine and the Members for Geelong Province for failing the students of Drysdale Primary School by acquiescing to the Government's imposition of an unfair system of WorkCover penalties and failing to stand up for the rights of the students and parents of Drysdale Primary School.
- 172 \***MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Cobden Technical School by capriciously imposing a \$10,000 WorkCover penalty, causing the school to review and likely reduce its commitments to school sporting competitions; and (b) expresses its support for the school view that 'Cobden Technical School faces a charge against our school global budget for a WorkCover premium of \$10,000; this is in spite of the fact that one "injury" that has caused an increase in our premium was not one we could have planned for nor guarded against ... Council has concluded that we might well be advised to reduce the level of sporting competition in the school for it was at a school athletics event that the injury referred to above occurred ... was it intended when this policy was drafted to have this impact on schools'.
- 173 \***MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Langwarrin Primary School by capriciously imposing an \$8,000 WorkCover penalty which will cause a deficit at the school, an amount equal to the school's annual fundraising budget, that will directly impact on the school's educational priorities and result in the slashing of school programs, severely disadvantaging students at the school; and (b) agrees with the School Council President Phil Cavill, and Vice President Lindsey Harris, who say 'that schools are now made to pay a portion of WorkCover claims is an insinuation that school principals are not properly managing the making of such claims by staff ... WorkCover is a systemic problem and not the responsibility of individual schools'.
- 174 \***MR PERTON** — To move, That this House condemns the Member for Hastings and the Member for Western Port Province for failing the students of Langwarrin Primary School by acquiescing to the Government's imposition of an \$8,000 WorkCover penalty and failing to stand up for the rights of the students and parents of Langwarrin Primary School.
- 175 \***MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Tinternvale Primary School by capriciously imposing a system of WorkCover penalties which will cause a reduction in funding to the tune of \$7,000 this year alone, which would otherwise have benefited the children and their schooling; and (b) expresses its support for the School Council President Lynda Green, who has said 'this decision affects all the members of the school community, in particular our children ...'.
- 176 \***MR PERTON** — To move, That this House condemns the Member for Kilsyth and the Labor Member for Silvan Province, for failing the students of Tinternvale Primary School by acquiescing to the Government's imposition of a system of WorkCover penalties, shifting costs onto schools and for failing to stand up for the rights of the students and parents of Tinternvale Primary School.

- 177 **\*MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of St Albans Heights Primary School by capriciously imposing a system of WorkCover penalties which will cause a deficit of \$6,670 at the school that will directly impact on the school's educational priorities; and (b) agrees with the School Council President Julie Van Staeden, and its Principal George Kalandadse, that this Government should make 'an honest attempt at consultation with a view to investigating how schools and the Department can work together to identify and best manage injury prevention position on schools'; and '... if the Government is so keen to lower WorkCover costs and provide a healthy and safe workplace for their staff, then we believe that they should review the Physical Resources Management System (PRMS) program and recommence the payment of maintenance money so that schools can return to the PRMS audited items and have them repaired ...'.
- 178 **\*MR PERTON** — To move, That this House condemns the Member for Derrimut and the Members for Doutta Galla Province for failing the students of St Albans Heights Primary School by acquiescing to the Government's imposition of a \$6,670 WorkCover penalty and failing to stand up for the rights of the students and parents of St Albans Heights Primary School.
- 179 **\*MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of North Geelong Secondary College by capriciously imposing a system of WorkCover penalties which will cause financial difficulties for the school that ultimately penalise students; and (b) agrees with the School Council President Gail Lowe who said 'to help reduce WorkCover claims, school councils and principals require adequate resources, professional development and professional support, not financial "incentives" which ultimately jeopardise school programs; students in the Victorian public education system should not pay for the inadequacies of the Victorian Department of Education, or the funding policies of the Government of the day'.
- 180 **\*MR PERTON** — To move, That this House condemns the Members for Geelong Province for failing the students of North Geelong Secondary College by acquiescing to the Government's imposition of a system of WorkCover penalties and failing to stand up for the rights of the students and parents of North Geelong Secondary College.
- 181 **\*MS BEATTIE** — To move, That this House condemns the Member for Doncaster for his demand that schools with a good work injury management record have their budgets reduced.
- 182 **\*MR HERBERT** — To move, That this House condemns the Member for Doncaster for providing misleading information about truancy figures to his local newspaper and forcing his local schools to correct him.
- 183 **\*MR HOWARD** — To move, That this House condemns the Member for Doncaster for being part of a government that, when in office, sacked 9,000 teachers and closed 300 schools.
- 184 **\*MS ECKSTEIN** — To move, That this House congratulates the Bracks Government for its continued investment in education and for putting an extra \$3.69 billion into schools since October 1999, which includes 4,000 extra teachers and staff plus \$959 million capital works, plus lowered class sizes or numbers.
- 185 **\*MR CRUTCHFIELD** — To move, That this House condemns the Member for Doncaster for being all puff and no substance in his desire to prevent system improvements to prevent injuries.

186 \***MR HELPER** — To move, That this House condemns the Liberal Party for abandoning any commitment to the long-held policy that work injury prevention needs incentives and disincentives to bring about less injuries and suffering for people and their families.

187 \***MR LUPTON** — To move, That this House condemns the Member for Doncaster for his tedious repetition.

## ORDERS OF THE DAY

1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).

2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).

3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).

4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).

5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).

6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).

7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).

8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).

9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (*3 June 2003*) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).

10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (*4 June 2003*) —

Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).

- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (*4 June 2003*) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (*5 June 2003*) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (*26 August 2003*) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (*27 August 2003*) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **\*CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (*27, 28 August, 18 September and 26 November 2003*) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (*27 August 2003*) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (*27 August 2003*) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).
- 20 **MITCHAM–FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August and 29 October 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).

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- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (*16 September 2003*) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (*16 September 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (*16 September and 8 October 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **\*PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September, 16 October and 26 November 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).
- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).

- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS**— Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).
- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (*7 October 2003*) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (*7 and 8 October 2003*) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).
- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (*8 October 2003*) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).
- 41 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland South (*15 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ryan*).
- 42 **AQUATIC CENTRE FOR FRANKSTON** — Petition presented by the Member for Frankston (*15 October 2003*) — Requesting the building of an aquatic centre in Frankston — To be considered (*Mr Harkness*).
- 43 **HOUSING RENTAL REBATE POLICY** — Petition presented by the Member for Mildura (*16 October 2003*) — Relating to amending the rental rebate policy so that all public housing tenants will pay the rebate rent at the rate of 23 per cent of total household income — To be considered (*Mr Savage*).

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- 44 **CUTS TO COMMUNITY SERVICES** — Petition presented by the Member for Mildura (*16 October 2003*) — Relating to exempting community services such as family support, children's services, services to people with disabilities, alcohol and drug counselling services and housing support, from planned cuts — To be considered (*Mr Savage*).
- 45 **FUNDING FOR STUDENTS ON DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Forest Hill (*16 October 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Perton*).
- 46 **VICTORIAN SCHOOL OF LANGUAGES AT FOUNTAIN GATE** — Petition presented by the Member for Cranbourne (*28 October 2003*) — Requesting that the Victorian School of Languages at Fountain Gate not be relocated at Lyndale Secondary College, North Dandenong — To be considered (*Mr Perton*).
- 47 **'THE GAP' CAMPING GROUND AT WARATAH BAY** — Petition presented by the Member for Gippsland South (*29 October 2003*) — Relating to retaining 'The Gap' camping ground at Waratah Bay — To be considered (*Mr Ryan*).
- 48 **KNOX CITY COUNCIL** — Petition presented by the Member for Bayswater (*30 October and 20 November 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Lockwood*).
- 49 **KNOX CITY COUNCIL** — Petition presented by the Member for Burwood (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Stensholt*).
- 50 **KNOX CITY COUNCIL** — Petition presented by the Member for Evelyn (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms McTaggart*).
- 51 **KNOX CITY COUNCIL** — Petition presented by the Member for Ferntree Gully (*30 October, 6 and 20 November 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Eckstein*).
- 52 **KNOX CITY COUNCIL** — Petition presented by the Member for Yan Yean (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Green*).
- 53 **KNOX CITY COUNCIL** — Petition presented by the Member for Kilsyth (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Beard*).
- 54 **KNOX CITY COUNCIL** — Petition presented by the Member for Monbulk (*30 October 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Merlino*).
- 55 **KYNETON-BENDIGO AND WATERGARDENS-BENDIGO RAIL TRACKS** — Petition presented by the Member for Ivanhoe (*5 November 2003*) — Relating to retaining the double rail track between Kyneton and Bendigo and ensuring that any sleepers ordered for the upgrading of the Watergardens to Bendigo rail line be capable of being gauge converted — To be considered (*Mr Mulder*).

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- 56 \***KNOX CITY COUNCIL** — Petition presented by the Member for Scoresby (*18 and 26 November 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered — (*Mr Wells*).
- 57 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*20 November 2003*) — Requesting that the House does not ratify Amendment No C27 to the Nillumbik Planning Scheme until its impact on stakeholders is fully investigated — To be considered — (*Mrs Powell*).
- 58 \***WORKCOVER FUNDING — GOVERNMENT SCHOOL BUDGETS 2004** — Petition presented by the Member for Ivanhoe (*26 November 2003*) — Requesting that the House intercedes with the Minister for Education Services and the Minister for WorkCover to withdraw the unfair and arbitrary arrangements for the funding of WorkCover that have been put in place in government school budgets for 2004 — To be considered — (*Mr Perton*).
- 59 \***ERADICATION OF FOXES, BAYSIDE AND MELBOURNE METROPOLITAN AREAS** — Petition presented by the Member for Sandringham (*26 November 2003*) — Requesting that the Government instigates immediate action to control and, if necessary, eradicate foxes from the Bayside area and across the Melbourne metropolitan area — To be considered (*Mr Thompson*).
- 60 \***FUNDING CUTS TO SCHOOL SPORTING BODIES** — Petition presented by the Member for Sandringham (*26 November 2003*) — Requesting that the Government abandons the changes under the proposed funding cuts to school sporting bodies and injects needed funds into school sport in order to keep Victorian school children healthy and active through involvement in sport — To be considered — (*Mr Thompson*).
- 61 \***BEACH RENOURISHMENT WORKS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*26 November 2003*) — Requesting that the Government provides funds for beach renourishment works to preserve and protect one of the great beach and scenic areas of Melbourne — To be considered (*Mr Thompson*).
- 62 \***POSSUMS, CITY OF BAYSIDE** — Petition presented by the Member for Sandringham (*26 November 2003*) — Requesting that the Government instigates immediate action to address the concerns of residents in relation to the large possum population in the City of Bayside — To be considered — (*Mr Thompson*).
- 63 \***VTV4 NEWS — SBS** — Petition presented by the Member for Sandringham (*26 November 2003*) — Requesting that the Government takes immediate steps to redress the concerns of the Victorian Vietnamese Community regarding the inaccurate and unbalanced reporting and news coverage on SBS in its broadcast of VTV4 news — To be considered (*Mr Thompson*).

**LISTED FOR FUTURE DAY**

**THURSDAY 4 DECEMBER 2003**

**GOVERNMENT BUSINESS**

**ORDER OF THE DAY**

- 1 **GAS INDUSTRY (RESIDUAL PROVISIONS) (AMENDMENT) BILL** — Second reading  
— *Resumption of debate (Dr Napthine).*

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

## COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

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## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003 AND AMENDED ON 16 SEPTEMBER AND 28 OCTOBER 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move 'That the sitting be continued'.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the remainder of 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.

# LEGISLATIVE ASSEMBLY OF VICTORIA

## NOTICE PAPER — No 46

**Day and hour of the next meeting to be fixed by the Speaker**

*Issued 27 November 2003*

### BUSINESS TO TAKE PRECEDENCE

**STATEMENTS BY MEMBERS** — *Pursuant to Sessional Order 8*

### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **WRONGS (REMARRIAGE DISCOUNT) BILL** — Second reading — *Resumption of debate (Mr McIntosh).*
- 2 **UNCLAIMED MONEYS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr Clark).*
- 3 **INTERPRETATION OF LEGISLATION (AMENDMENT) BILL** — Second reading.

### GENERAL BUSINESS

#### NOTICES OF MOTION

- 1 **MR DOYLE** — To move, That —
  - (a) a Joint Select Committee of ten members be appointed to inquire into and report on all the factors that led to the 2003 bushfires in North East Victoria and Gippsland, to determine the level of severity of those fires and all counter measures that were taken to minimise the damage resulting from those bushfires and to recommend appropriate measures to be taken in the future regarding fire precautions, fire response and fire recovery, and in particular — (i) the adequacy of forest and park management and fire prevention practices; (ii) the adequacy of fire mitigation and suppression practices with particular reference to the effectiveness of fuel reduction burning of the forested areas of the State in reducing the intensity of bushfires; (iii) the impact of intense bushfires on the forest environment; (iv) the maintenance of the diverse ecology of Victoria's forests and National Parks; (v) fire management and response by the Department of Sustainability and Environment and the Country Fire Authority and any other government or non-government agencies or organisations; (vi) the effectiveness of communication systems, the adequacy of field

communication between the control centre and the fire-front and the adequacy of early warning systems; (vii) an analysis of the co-ordination between and logistic support of all organisations involved; (viii) the adequacy and appropriateness of the physical resources available to the agencies and organisations involved; (ix) the timeliness and adequacy of the immediate response to the fires; (x) the impact of the fires on the age distribution of vegetation species in the hardwood forest areas with particular reference to future management of forests and National Parks; and (xi) appropriate relief and recovery measures;

- (b) five members of the Committee shall be appointed by the Legislative Assembly and five members shall be appointed by the Legislative Council;
- (c) the Committee may send for persons, papers and records;
- (d) the Committee shall elect one of its members to be Chair;
- (e) the Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
- (f) the Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
- (g) six members of the Committee shall constitute a quorum of the Committee;
- (h) the Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
- (i) the Committee shall not sit while either House is actually sitting except by leave of that House and may not while either House is actually sitting sit in any place other than a place that is within the Parliament building;
- (j) the Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) all evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) the Committee shall on request make available to any member of the public a copy of any public submission or record of evidence;
- (m) the Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry;
- (n) the presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) the Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council; and
- (q) the Committee be a Committee to which s 51A of the *Parliamentary Committees Act 1968* applies.

- 2 **MR ROBINSON** — To move, That this House condemns the Federal Government for its plans to sell surplus Department of Defence land at Point Nepean to the highest bidder and calls on the Federal Government to instead transfer Point Nepean to the Victorian Government so that it can remain in public ownership for all Australians to enjoy in perpetuity.

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- 3 **MR HONEYWOOD** —To move, That this House condemns the Labor Government for its failure to implement its much published open and accountable administration policy, whether it be proposals to gag and guillotine parliamentary debate in this House and another place, deliberate and systematic lengthy delays in the processing of Freedom of Information requests, or refusal of normal departmental briefings to opposition spokespeople, and this is a government that has made an art form out of secrecy in the administration.
- 4 **MR STENSHOLT** — To move, That this House calls on the Federal Government to ensure that Victoria gets its fair share of funds distributed under the National Heritage Trust
- 5 **MR BAILLIEU** — To move, That this house condemns the Minister for Planning for — (a) failing to consult Victorian communities, in particular Victorian coastal communities, in regard to the establishment of guidelines for the development of wind energy facilities; and (b) failing to adequately protect sensitive areas of Victoria’s precious coastline from the adverse impact of wind energy facilities.
- 6 **MR LANGUILLER** — To move, That this House condemns the Federal Government for making a completely inadequate offer in the current negotiations for the Commonwealth State Disability Agreement (CSTDA), in particular for — (a) inadequate indexation; (b) a continuation of previously allocated unmet need funds, with no new money for unmet need; and (c) inadequate growth funding of only \$125 million over five years for States and Territories — less than half the rate of growth provided in CSTDA 2.
- 7 **MR COOPER** — To move, That this House condemns the Minister for Police and Emergency Services for grossly abusing his ministerial position by wrongfully obtaining confidential Victoria Police information relating to the Liberal Party candidate for Yan Yean at the 2002 state election, using this information under parliamentary privilege to damage the reputation of this individual, and subsequently rewarding the police member, who arranged for the provision of the information, with a significant promotion to the role of Director, Crime Prevention Victoria.
- 8 **MS BARKER** — To move, That this House condemns the Federal Government for its failure to adequately fund the higher education sector to ensure a high quality and viable university system, equally accessible to all Australians wherever they live and whatever their income level.
- 9 **MR RYAN** — To move, That this House condemns the Minister for Environment for his failure to abandon this nonsensical proposal for the establishment of a toxic waste dump at Dutson Downs.
- 10 **MR DIXON** — To move, That this House condemns the Minister for Education and Training on her incredibly late and inconsistent intervention into the financial situation at Royal Melbourne Institute of Technology (RMIT) when — (a) RMIT’s reputation was suffering from further severe internal problems highlighted by the resignation of the Chancellor Don Mercer; and (b) severe budget cuts were restricting many aspects of RMIT’s operation.
- 11 **MS CAMPBELL** — To move, That this House condemns the Federal Government for its failure to exercise leadership in relation to the management of the nations precious water resources and in particular its failure to adequately support the visionary Wimmera-Mallee pipeline project.

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- 12 **MS ASHER** — To move, That House notes with concern the relative loss of confidence within the Victorian manufacturing sector and calls on the Minister for Manufacturing and Exports to ensure that the industrial relations climate surrounding the negotiation of Victoria's expiring enterprise bargaining agreements does not further undermine confidence.
- 13 **MR HARDMAN** — To move, That this House acknowledges the outstanding cooperative effort of the State's Emergency Services organisations (the Country Fire Authority, Department of Sustainability and Environment, the State Emergency Services, Victoria Police, and other agencies) which protected many lives, homes and communities during the 2002–03 historic bush fires.
- 14 **MS SHARDEY** — To move, That the Minister for Community Services be condemned for refusing to make public a report on Victoria's crisis ridden foster care system despite the Foster Care Association of Victoria and the Children's Welfare Association publicly demanding its release.
- 15 **MR MAXFIELD** — To move, That this House recognises the outstanding efforts of the thousands of Victorian volunteer fire fighters and the support of communities and employers during one of the worst fire seasons in the State's history.
- 16 **MR PLOWMAN** — To move, The this House appeals to the Government to introduce a fencing materials grant to all the farmers who lost boundary fencing adjoining the Crown or roadside fencing as a direct result of the fires in North East Victoria and Gippsland or whose fences were destroyed by the building of containment lines or fire breaks.
- 17 **MR LIM** — To move, That this House condemns the Federal Government and the Minister for Immigration for refusing to consider the approximately 1800 East Timorese currently in Australia as special cases which would enable them to remain in Australia, noting that failing to do so condemns these East Timorese to ongoing uncertainty about their future.
- 18 **MR CLARK** — To move, That this House deplores the repeated making by the Treasurer of the misleading claim that the 2003–04 budgetary situation has deteriorated due to drought and the cost of fighting bushfires, when the principal reasons for the deterioration have been the cost of the ALP's election promises and the inability of the Treasurer and his Government to keep their spending commitments within their own budget estimates.
- 19 **MR NARDELLA** — To move, That this House condemns the Federal Government for its ongoing disinvestment in public housing over the past 10 years in that Commonwealth funding to Victoria has declined by approximately 30 per cent or by \$90 million in real terms since 1989–90.
- 20 **DR NAPHTHINE** — To move, That this House urges the city-centric Bracks Labor Government to establish a special funding arrangement to facilitate State Government assistance for rural municipalities to properly deal with their backlog of maintenance and replacement of local bridges.
- 21 **MR WYNNE** — To move, That this House condemns the Federal Government for its approach to the renegotiation of the next Australian Health Care Agreement and calls on the Federal Government to — (a) embrace the objective of achieving equitable access to quality healthcare for all Australians as the core of the next agreement; and (b) provide sufficient funding to Victoria to ensure that our public hospitals are able to fulfil their vital role in providing a universal safety net and the highest quality health care to all Victorians.

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- 22 **MR RYAN** — To move, That this House condemns the Government for its failure to immediately open Victorian state game reserves and other appropriate areas of public land to enable feed to be made available as a matter of urgency to live stock which is without fodder because of the fires that have ravaged Victoria.
- 23 **MS DUNCAN** — To move, That this House condemns the Federal Government for its failure to maintain Medicare as a vibrant, comprehensive, universal public health system with recent data showing a decline in the rate of bulk billing by GPs to 69.6 per cent nationally, with the problem particularly acute in outer metropolitan and rural areas.
- 24 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to ensure the timely tabling of the Victoria Police Annual Report 2001–02, prior to the 2002 state election, and following assurances provided by the Victoria Police Chief Commissioner’s Office that the Annual Report would be tabled on Thursday 31 October 2002.
- 25 **MR MAUGHAN** — To move, That this House condemns the Minister for Environment for his failure to adequately control kangaroo numbers in Northern Central Victoria.
- 26 **MR KOTSIRAS** — To move, That this House condemns this Labor Government for its hasty decision-making simply to secure short term political benefits that has put the Synchrotron Project in jeopardy and calls upon the Government to — (a) release the business plan for this project; and (b) provide the names of companies that have agreed to invest in this project and their financial commitments.
- 27 **MR McINTOSH** — To move, That this House condemns the Bracks Government for refusing \$90 million of Commonwealth funds and committing \$77 million of Victorian taxpayers’ money in order to protect the Construction, Forestry, Mining and Energy Union’s ‘closed-shop’ on the Melbourne Cricket Ground redevelopment site.
- 28 **MR MULDER** — To move, That the Premier urgently gives the Road Safety Committee a reference to enable the Committee to conduct an inquiry into the integrity of VicRoads’ computer systems that facilitates the registration and licensing of private motor vehicles in Victoria, with particular reference to whether the opportunity for corruption in VicRoads is being minimised.
- 29 **MR THOMPSON** — To move, That this House condemns the Labor Government for downgrading Languages Other Than English (LOTE) in our schools and calls upon the Government to guarantee that LOTE remains a key learning area by providing adequate resources to allow schools to offer LOTE in their curriculum.
- 30 **MR RYAN** — To move, That —
- (a) a Joint Select Committee of eight members be appointed to inquire into and report by 1 October 2003 on those bushfires (the fires) which have occurred within Victoria in the period 1 December 2002 to 31 May 2003. The Committee shall examine all relevant issues and furthermore the committee is specifically required — (i) to examine the management practices of relevant government departments over the previous 20 years regarding public land management with specific reference to any and all initiatives dedicated to the prevention and suppression of fires in all forms of Victorian based National Parks and State Reserves (the Reserves); (ii) to examine the degree of fuel reduction burning carried out annually over the last 25 years within the Reserves and to assess the benefits and costs of such activity including reviewing scientific data and

- practical experience; (iii) to examine the sufficiency of budgetary allocations to those relevant government departments having responsibility for the management of fire prevention and suppression within the Reserves; (iv) to examine the budgetary position of the Country Fire Authority (CFA) taking particular account of the fact that — (A) 77.5 per cent of the CFA budget is provided by the owners of private property who insure; and (B) what effect the costs incurred by the CFA in fighting fires within the Reserves, the prime responsibility for which legislatively rests with the Department of Sustainability and Environment (DSE), will have on the budget of the CFA; (v) to inquire into the management and control of the fire fighting operation with particular reference to the level of co-ordination and co-operation between DSE, Parks Victoria, the CFA, the State Emergency Services (SES), the Army Reserve, the Red Cross, Local Government and other emergency service providers both public and private; (vi) to examine the current levels and operational capacity of fire fighting equipment available to the CFA and DSE with particular regard to the tanker fleets and aircraft; (vii) to examine the appropriateness of CFA volunteers providing their time *gratis*, or at the expense of their employers, while working alongside DSE personnel being paid at penalty rates during the course of a protracted fire event; (viii) to examine the impact that the reduction in saw log availability by the creation of reserves and the consequent retraction of the sawmilling industry has had and will have on the provision of access tracks and the availability of heavy machinery and personnel to assist in fire control; (ix) to examine whether the provisions of the *Flora and Fauna Guarantee Act 1988* were applied unreasonably so as to materially hinder the fire fighting effort; (x) to examine if human action either accidental or malicious caused any of the fires and if the provisions of the *Crimes Act 1958* are sufficient to deal with arson offences; (xi) to examine the mechanisms for informing the public from time to time as to the status of the fires and for providing warnings and emergency advice; (xii) to examine the capacity of private utility providers of essential services such as gas and electricity to maintain and generally administer supply during and after a fire event; (xiii) to examine all aspects of logistics and communications employed by all persons and agencies and to report upon their sufficiency during a fire event; (xiv) to examine the practicality of encouraging all country based public servants to join the CFA; (xv) to examine the incidence and extent of personal injuries suffered by any person during the course of the fires; (xvi) to assess property losses including dwellings, farm buildings, fences and livestock and consider what standing arrangements should be put in place to enable the immediate replacement of such fixed assets and the care and sustenance of livestock following future major fire events; (xvii) to make any recommendations to the Parliament that the committee thinks fit to reduce the incidence and severity of future fire outbreaks especially in years of severe rainfall deficiency;
- (b) Four members of the Committee shall be appointed by the Legislative Assembly and four members shall be appointed by the Legislative Council;
  - (c) The Committee has the power to send for persons, papers and records;
  - (d) The Committee shall elect one of its members to be Chair;
  - (e) The Committee shall elect a Deputy Chair to act as Chair at any time when the Chair is not present at a meeting of the Committee;
  - (f) The Chair shall have a deliberative vote and, in the event of an equality of votes, a casting vote;
  - (g) Five members of the Committee to be the quorum;
  - (h) The Committee shall, unless it otherwise resolves, take all evidence in public and may otherwise sit in public at any time if it so decides and move from place to place;
  - (i) The Committee shall sit on days on which both Houses do not meet;

- (j) The Committee shall advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders;
- (k) All evidence taken by the Committee will be treated as public documents unless the Committee otherwise orders;
- (l) The Committee shall on request make available to any member of the public a copy of any public submission or record of evidence
- (m) The Committee may commission persons to investigate and report to the Committee on any aspect of the subject matter;
- (n) The presentation of a report or interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions;
- (o) The Committee shall include with any of its reports any minority reports submitted to it by a member or members of the Committee;
- (p) The foregoing provisions of this resolution, so far as they are inconsistent with the standing and sessional orders or practices of the Assembly and the Council shall have effect notwithstanding anything contained in the standing or sessional orders or practices of the Assembly and the Council;
- (q) That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

- 31 **MR RYAN** — To move, That in accordance with section 38(2) of the *Planning and Environment Act 1987* this House revokes amendment C15 of the Wellington Planning Scheme and Amendment C20 of the Latrobe Planning Scheme.
- 32 **MS ASHER** — To move, That this House condemns the Bracks Labor Government's plan to increase the number of households in the City of Bayside by 16,000 and vigorously opposes the construction of high rise in the Brighton electorate.
- 33 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for alienating and then allowing the complete development and destruction of community parkland in Malleehen Street, Werribee when this park has for more than 20 years been maintained as parkland including a playground and has provided the only safe and easily accessible public open space for neighbourhood children.
- 34 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his failure to address the serious increase in violent crime in Victoria since 1999 with the latest Victoria Police Crime Statistics revealing that crimes against the person increased by a disturbing 16.8 per cent between 1999–2000 and 2001–02 including homicide up 32.9 per cent, rape up 8.5 per cent, robbery up 10.5 per cent, assault up 26.8 per cent and abduction/kidnap up 14.4 per cent.
- 35 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for his total inaction in failing to address the serious decline in the volunteer membership of the Country Fire Authority with the total number of volunteers down 8,007, or 12.1 per cent since 1999, from 65,992 as at 30 June 1999 to 57, 985 as at 30 June 2002.
- 36 **DR NAPHTHINE** — To move, That this House condemns the union dominated Bracks Labor Government for bowing to pressure from the Shop Distributive and Allied Employees Union to declare Easter Sunday a non-trading day and Easter Saturday a public holiday, causing enormous damage to tourism and the economy in communities throughout rural and regional Victoria.

- 37 **DR NAPHTHINE** — To move, That this House demands the Bracks Labor Government immediately provide funding for the establishment and operation of a multi-purpose emergency helicopter service for south west Victoria to save lives and make this region much safer for residents and visitors.
- 38 **DR NAPHTHINE** — To move, That this House condemns the Labor Government for neglecting public dental services in regional and rural Victoria thereby allowing waiting lists and waiting times for vital dental treatment to reach record levels.
- 39 **MR THOMPSON** — To move, That this House condemns the Government's 2030 plan and its impact on residential amenity in the Sandringham electorate.
- 40 **MR COOPER** — To move, That this House condemns the Attorney-General for — (a) failing to keep his unequivocal commitment to the Victorian public to produce his travel diaries from his time as the Federal Member for Kennedy to substantiate his claim that all of the travel he carried out at the expense of the Australian taxpayers during that time was on legitimate Parliamentary business; and (b) abrogating his oath as a minister of the Crown by refusing to fully cooperate with a Federal Police investigation into this matter; and calls upon the Attorney-General to produce those travel diaries immediately for scrutiny, and if he fails to do so to admit that he does not possess them and make immediate arrangements to refund the entire costs of the travel in question to the Commonwealth Parliament.
- 41 **MR COOPER** — To move, That this House condemns the Minister for Transport for his failure to implement urgent safety improvements at the dangerous intersection of Moorooduc Road and Bentons Road, Moorooduc; and Nepean Highway and Bentons Road, Mornington.
- 42 **MR COOPER** — To move, That this House condemns the Minister for Transport for keeping secret his plan to reduce the rail service between Bendigo and Kyneton to a single line operation.
- 43 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for the undue pressure he has placed on Victoria Police to raise revenue for the Government by forcing it to move valuable police resources from crime fighting activities which were 500,000 man hours short of target in 2001–02, into road traffic enforcement which was 250,000 man hours over target in 2001–02.
- 44 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for gross abuse of his ministerial position in inappropriately using confidential Victoria Police information relating to an ordinary citizen namely, the Liberal Party Candidate for Yan Yean at the 2002 state election, and using this information under parliamentary privilege to maliciously impugn the reputation of this citizen.
- 45 **MR WELLS** — To move, That this House condemns the Minister for Police and Emergency Services for ensuring that the Victoria Police Annual Report was not tabled in Parliament prior to the last state election thereby depriving the Victorian community of the fact that this Government has turned our police force into revenue raisers and prison wardens.
- 46 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for authorising the complete destruction and re-development of community parkland at the site of the former Karingal Park Secondary College in Frankston.
- 47 **MR BAILLIEU** — To move, That this House condemns the Minister for Education and Services and the Minister for Planning for failing to ensure the retention of public open space adjacent to the Irabina Special School in Kingloch Parade in Wantirna.

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- 48 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to introduce promised legislation to require compulsory police checks on employees and volunteers working with children.
- 49 **MS SHARDEY** — To move, That the Bracks Labor Government be condemned for its failure to stop chroming in Department of Human Services funded facilities and for giving tacit approval for chroming through its guidelines on inhalant use which state: ‘it is important that workers take into account the importance of social bonds and the sense of belonging derived from group activities, including when abusing inhalants in a group’.
- 50 **MS SHARDEY** — To move, That this House offers its strong support to those Australian troops serving in the Middle East and in particular those troops who may serve in any hostilities in Iraq; and that this House offers its hopes for such Australian servicemen and women to return safely to Australian shores and receive full recognition for their service in defence of the security and preservation of democracy in Australia and the free world.
- 51 **MR LIM** — To move, That this House condemns the Leader of the Opposition for his on going failure to attend important community events, including Chinese New Year festivities held in the City of Melbourne on 2 February 2003.
- 52 **MS BARKER** — To move, That this House condemns the Leader of the Opposition for his constant failure to attend important community events, including the Greek community’s major celebration, the Antipodes Festival, on Saturday 22 March 2003.
- 53 **MR RYAN** — To move, That this House condemns the Government for its failure to follow the Commonwealth Government initiative of splitting the legislation regarding embryonic stem cell research into two parts thereby enabling the debate to proceed on the proper bases of a separate consideration of the issue of cloning as a first issue and the further consideration of the merits of embryonic stem cell research as a second issue, a course of action which will inevitably cause many members of Parliament to have to vote against the bill even though they oppose cloning and further that such condemnation extends to the Minister for Health in particular who, in response to criticism of this palpable failure of process on the part of the Government, has apparently offered the lame duck excuse that cloning is already banned in Victoria so that the issue does not arise when she knows or at least she should know that Part 3 of the Health Legislation (Research Involving Human Embryos and Prohibition of Human Cloning) Bill creates a specific offence applicable to any person engaging in human embryonic cloning, makes substantial amendments to existing Victorian law regarding cloning laws and requires consideration in its own right thereby unnecessarily placing all members of this House, including those within her own party, in an impossible position in terms of their consideration of the merits of this highly complex, contentious and challenging legislation.
- 54 **MR MILDENHALL** — To move, That this House condemns the Leader of the Opposition for his ongoing failure to attend important community events including the Cultural Diversity Week gala dinner attended by over one thousand people, on Friday 21 March 2003.
- 55 **MR WELLS** — To move, That this House condemns the Labor Government and the Minister for Police and Emergency Services for blatantly misleading the Victorian community with their complete and utter failure to honour a 1999 state election promise to build, within the first term of a Labor Government, new police stations at Rowville, Endeavour Hills, Maryborough, Gisborne, Moe, Kilmore, Diamond Creek, Eltham, Bellarine Peninsula, Belgrave, Croydon and Preston.

- 56 **MR LANGUILLER** — To move, That this House condemns the Leader of the Opposition for his failure to appoint a Shadow Minister for Multicultural Affairs and for not giving the portfolio the importance and attention it deserves.
- 57 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral destruction by Melbourne Water of some 200 mature trees at Pridmore Park in Hawthorn.
- 58 **MR HONEYWOOD** — To move, That this House condemns the Member for Oakleigh for blatant hypocrisy when she attacked the representation of the State Opposition at the Antipodes function on 22 March 2003 when she herself did not bother to attend this same function, the Premier arrived late and stayed for 10 minutes only and her former boss, Mr Simon Crean could not be bothered attending even though Mr Crean and the Member for Oakleigh represent a large number of Greek-Australians in their respective electorates.
- 59 **MR HONEYWOOD** — To move, That this House condemns the Premier for in two of the last three years delegating to his most junior backbenchers the Government's official representation at the Emperor of Japan's birthday celebrations, the most important function for the Japanese business and resident community in Victoria and further note that the Premier has yet to be bothered attending this important event thereby offending the Japanese community.
- 60 **MR HONEYWOOD** — To move, That this House condemns the Premier for on 1 February 2003 delegating to his most junior backbencher the Government's official representation at the Indian Republic Day official function, the most important function for our large Indian-Australian community thereby offending the Indian community.
- 61 **MR WELLS** — To move, That this House condemns the Labor Government for failing to recognise and support the Knox community's genuine health needs which require a major tertiary hospital and by their continued refusal to develop the Knox Public Hospital at Wantirna.
- 62 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Greek National Day celebrations held on 23 March 2003 at the Shrine of Remembrance.
- 63 **MR KOTSIRAS** — To move, That this House condemns the Premier, as Minister for Multicultural Affairs, for not attending the Panepirotic Union dinner held on 1 March 2003.
- 64 **MR THOMPSON** — To move, That this House notes the readiness of the Premier and his senior Ministers to attend expensive fundraising events for the Labor Party while regularly refusing to attend grassroots community functions, especially within Victoria's diverse multicultural communities.
- 65 **MR THOMPSON** — To move, That this House condemns the Premier for failing to attend a range of multicultural events this year including important occasions for the Sri Lankan, Ukrainian, Greek, Hindu, Cypriot and Dutch communities.
- 66 **MR THOMPSON** — To move, That this House condemns the Government for its attempted politicisation of the multicultural affairs portfolio, historically treated in this State on a bipartisan basis, and notes that today would be a suitable day to return to that spirit of bipartisanship.

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- 67 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to prevent the unilateral closure of a Yarra River walking track in Hawthorn and for failing to assist the City of Boroondara and local residents in working to have the walking track reopened.
- 68 **MR LONEY** — To move, That this House condemns the Member for Warrandyte for his hypocrisy in using members of Victoria's multicultural community for crass political expediency while doing nothing to ensure that the State Opposition has a spokesperson for Multicultural Affairs.
- 69 **MR INGRAM** — To move, That this House calls on the State Government to urgently implement changes to assist the building industry secure adequate and affordable building warranty insurance which has placed unreasonable restrictions on business activity and is crippling the State's building industry.
- 70 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Education and Training for secretly initiating a proposed sale of land from Ashwood College in Burwood including a significant wetlands area, for the purpose of a housing development.
- 71 **MS DUNCAN** — To move, That this House condemns the Opposition for promoting logging in National Parks following the recent fires that resulted in the destruction of hundred of thousands of hectares of native forest.
- 72 **MR HOWARD** — To move, That this House applauds the Minister for the Environment for the announcement that there will be no commercial wood chipping in the Wombat Forest.
- 73 **MS GREEN** — To move, That this House commends the Bracks Government for introducing the already successful Water Rebate Scheme as an incentive for Victorians to save water at a time that our water resources are at record lows.
- 74 **MR HARKNESS** — To move, That this House condemns the Federal Government for its shameful act of moving to sell the historic, cultural and nationally significant land at Point Nepean rather than keeping all the land in public hands.
- 75 **MS BUCHANAN** — To move, That this House condemns the Leader of the Opposition for his support of the Federal Government's discriminatory decision to sell surplus defence land at Point Nepean and calls on him to persuade the Prime Minister to follow the precedent set in New South Wales where former defence land was gifted to the New South Wales Government.
- 76 **MR CRUTCHFIELD** — To move, That this House condemns the statements of the Opposition opposing the creation of Otways National Park extending from Anglesea to Cape Otway.
- 77 **MR RYAN** — To move, that this House condemns the Government and the Minister for Major Projects in particular, for failing to disclose to the people of Gippsland the complete details of the proposal to establish a waste treatment facility at Dutson Downs in circumstances where the Government has never conducted an investigation as to the most appropriate location for such a facility and the only reason it is persisting with the development at this site is because the 100 per cent government owned statutory authority, Gippsland Water, refuses to withdraw its application to host this potential menace despite the fact that for a raft of environmental and economic reasons Dutson Downs is patently inappropriate as the host site.

- 78 **MR WELLS** — To move, That this House acknowledges the four motions that were moved at the ‘no tolling Scoresby Freeway’ public meeting last night, namely — (a) that this public meeting moves a motion of no confidence in the Bracks Government; (b) the residents of the outer-east condemn the Bracks Government for breaking their promise to the community and calls on the Bracks Government to immediately reverse its decision to impose tolls on the Mitcham-Frankston (Eastern and Scoresby) Freeway; (c) that this public meeting calls on all local councils in the Scoresby corridor to aggressively lobby the Victorian Government to honour its promises on the Eastern Extension and Scoresby Freeway otherwise known as the Mitcham-Frankston Freeway and immediately reverse its decision to impose tolls; and (d) people present on behalf of all people in the local area call on the Victorian Opposition to reaffirm its commitment to building the Mitcham-Frankston Freeway including the Eastern and Scoresby Freeway in line with the agreement jointly signed by the Commonwealth and Victoria, and continue fighting to hold the Bracks Government accountable for their broken promises on this important road.
- 79 **MR RYAN** — To move, That this House condemns the Government for terminating the State Drought Assistance Package on 7 May 2002 at a point in time when numerous families across rural Victoria are suffering severely as a result of extraordinarily harsh weather conditions with consequent financial loss and emotional stress to a degree they have never before encountered.
- 80 **MR DOYLE** — To move, That this House dissents from the ruling of the Speaker on the complaint made by the Leader of the Opposition, against the Minister for Planning, because evidence demonstrates that the Minister for Planning ‘deliberately’ misled this House and the people of Victoria on 6 and 8 May 2003.
- 81 **DR NAPHTHINE** — To move, That this House congratulates Tenix and its workforce at the Williamstown dockyards for the ongoing success of the ANZAC frigate program and calls on the State Government to work with Tenix, the Federal Government and the local Williamstown community to assist Tenix to maintain a strong and cost efficient shipbuilding operation at Williamstown.
- 82 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for issuing, on 23 May 2003, without notice, consultation or explanation, a new ministerial order regarding home builders warranty insurance to exempt Government agencies through the Director of Housing from the Government’s own home builders warranty insurance requirements, but leaving private builders to suffer the burden of this rapidly failing and manifestly inadequate and inequitable system.
- 83 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to adequately monitor the impact and consequences of the Government’s home builders warranty insurance system on consumers and builders, in particular inadequate cover, inconsistent eligibility criteria, inequitable demands on builders, high premiums, non-recognition of previous performance, incapacity to tender, enormous time loss and administrative burden and aggregate work limits.
- 84 **MR RYAN** — To move, That this House condemns the Basslink proponents and the Victorian Government for the recent announcement that the professed \$500 million cost of the project has blown out to \$780 million thereby putting the lie to the mantra created by the project developer, National Grid, and accepted by the Victorian Government that the commercial feasibility of the initiative was impossible if the \$70 million cost of undergrounding the Basslink cable within Victoria was to be met by National Grid.

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- 85 **MR PERTON** — To move, That this House condemns the Bracks Government for withholding vital maintenance funding from schools again this year, for cutting corners and for politicising the upkeep of school grounds and buildings in Victoria at the cost of certainty, community safety and the proper, efficient forward planning of the educational system, and for presiding over the destruction of a skills and competencies base surrounding the development of the Physical Resource Maintenance System in education, which must be restored.
- 86 **MR PERTON** — To move, That this House condemns the Bracks Government for its broken promise to spend \$50 million to fund the purchase of what were in its own words ‘urgently needed’ new relocatable classrooms for Victoria’s schools and for instead paying for expensive maintenance of seriously outdated portable classrooms which are constructed from asbestos and should be retired.
- 87 **MR BAILLIEU** — To move, That this House urges the Victorian Government to immediately alter its windfarm guidelines to ban windfarms from sensitive environmental and coastal locations.
- 88 **MR BAILLIEU** — To move, That this House warmly congratulates all those associated with the concept and production of the book *You Are Not Alone* by Sane Australia and, in particular, congratulates Dan Halloran, an extraordinary 15-year-old Victorian whose personal experience dealing with the mental illness of his mother Virginia, and the dedication of his father John, inspired the book — a book which provides the chance for children with a parent or family member with a mental illness to understand and cope just as Dan and his father coped with not only Virginia’s mental illness but also her tragic death from cancer last year, following a long problematic diagnosis and treatment regime, the truth of which still awaits resolution by the Minister for Health.
- 89 **MR PERTON** — To move, That this House condemns the Bracks Government for its failure to meet the agreed minimum national standard for bandwidth in schools and its failure to adequately plan for and manage broadband services equitably and fairly, so that all of our schools are connected.
- 90 **MR PERTON** — To move, That this House condemns the Bracks Government for its continued failure to respond to Questions on Notice and be open and accountable for its acts.
- 91 **MR RYAN** — To move, That this House condemns the Government for its decision to nominate Dutson Downs as a site for further consideration as a soil recycling facility while simultaneously ignoring the advice of its own Hazardous Waste Siting Advisory Committee that any such action must include the conduct of a full environmental effects statement of the site.
- 92 **MR INGRAM** — To move, That this House condemns the two remaining Federal National Party members in Victoria on their decision to abandon the wishes and interests of the people of country Victoria when they voted for the full privatisation of Telstra.
- 93 **MR SAVAGE** — To move, That this House condemns the Leader of the Victorian National Party for his support in the Federal sale of Telstra, against the wishes of the people of Victoria.
- 94 **MR BAILLIEU** — To move, That this House gives its unequivocal support to the Australian Rugby Union in its campaign to overturn the proposed ban on the singing of *Waltzing Matilda* at the forthcoming World Cup and urges fans, in the great traditions of the song itself, to sing it anyway.

- 95 **MR INGRAM** — To move, That this House recognises the disgraceful situation that has occurred because of the privatisation of the rail freight network in Victoria and, in particular, the Bairnsdale Stratford line given that, although the line has been upgraded to the originally agreed standard, the private rail company Freight Australia (Rail America) is holding the Government, the community and Victorian taxpayers to ransom by constantly frustrating every effort to ensure the prompt return of the Bairnsdale passenger train and attempting to use the passenger rail projects to gain an advantage from the Government.
- 96 **MR SAVAGE** — To move, That this House condemns the Leader of the National Party and the Member for Polwarth who are apologists for Freight Australia (Rail America), a company that is holding back the standardisation in the North West Corridor and the return of the passenger service to Bairnsdale.
- 97 **MR RYAN** — To move, That this House calls on the Government to enact a 12 month moratorium on any further wind farm developments in order that — (a) Local Government authorities can, with the financial support of State Government, develop appropriate landscape overlays to planning schemes; (b) the current wind farm planning guidelines can be amended to provide communities with greater knowledge of local wind farm proposals, greater protection from intrusive developments and greater opportunity to participate in the planning process; and (c) the benefits of wind energy can be evaluated against other forms of renewable and fossil fuel energies to assess the economic, social and environmental benefits of wind generated power.
- 98 **MR BAILLIEU** — To move, That this House calls on the State Government to guarantee that the proposed development at Burnley Gardens not be called in.
- 99 **MR SAVAGE** — To move, That this House commends the National Party for their submission to the Auslink Greenpaper on the National Land Transport Plan where the following statements were recorded concerning Freight Australia ‘an example is that Victoria’s freight rail network is presently leased to Freight Australia which in practice has generated two problems — (a) a cumbersome access regime which is able to frustrate prospective new entrants and is also draconian in its requirement on Freight Australia in a reporting and conforming process; (b) constant bickering between the Victorian Government and Freight Australia which has stifled investment in rolling stock and line upgrades and standardisation projects; to solve this problem, we would have the Government acquire the existing lease on Victoria’s rail freight network to simplify the rail process and the vexed questions of upgrade and maintenance, thereby returning control to the Victorian Government’.
- 100 **MR INGRAM** — To move, That this House calls on the leaders of all political parties to declare what political donations they have received from private rail companies operating in Victoria.
- 101 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his deliberate avoidance of parliamentary scrutiny in that he proposed enhanced key performance indicators for the previous Minister for Manufacturing Industry, the Hon Rob Hulls, MP, yet upon his own appointment as Minister, he informed the Public Accounts and Estimates Committee that he is not prepared to accept the increased level of parliamentary scrutiny he advocated for the previous Minister.
- 102 **MR INGRAM** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria and condemns the Federal Leader of the Nationals, the Hon John Anderson, MP for his comments accusing those who oppose the full sale of Telstra of spreading lies, misinformation and being scaremongers, when 80 per cent of the constituents of Gippsland East are opposed to the full sale of Telstra; and (b) commends the

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Federal independent members Mr Peter Andren, MP, Mr Tony Windsor, MP and the Hon Bob Katter, MP for standing firm against any further sale.

- 103 **MR SAVAGE** — To move, That this House — (a) acknowledges the importance of maintaining quality telecommunications to regional Victoria; and (b) commends the Federal Liberal Member for Hume, Mr Alby Schultz, for his strident opposition to the full sale of Telstra and his observation on the National Party when he said, ‘I abhor what the National Party stands for because it compromises itself at every opportunity’.
- 104 **MR RYAN** — To move, That this House commends the policy of the Nationals at a Federal and State level that there be no further sale of the remaining public interest in Telstra unless and until appropriate levels of service are provided to rural and regional Australians.
- 105 **MR HONEYWOOD** — To move, That this House condemns the Treasurer for — (a) misleading the people of Victoria regarding his and the Bracks Government’s involvement in the national Strategic Investment Incentive Program when he claimed that other States and Christmas Island were receiving greater Federal Government hand-outs from this program than Victoria when the truth is that this funding program is based on applications sponsored by State and Territory Governments; and (b) applying for an embarrassingly low number of grants that amount to less than 10 per cent of the total funding applications nationwide.
- 106 **MR RYAN** — To move, That the Standing Orders Committee considers and recommends amendments to the standing orders and /or the sessional orders of this Parliament to facilitate the establishment of a system of mediation of those occasional disputes which may arise between members, such mediation process to be a compulsory precursor to the reference of any such disputes to any other form of determination, on the basis that the introduction of such a system would be entirely in keeping with similar structures that apply in most other community and legal forums, and would represent a practical and a preferable option to alternative avenues such as reference to the Privileges Committee which was never designed or referenced to deal with matters of this nature.
- 107 **MR CLARK** — To move, That this House deplores the false claim by the Treasurer in question time yesterday that the former government could never cut payroll tax, when in fact the former government cut payroll tax on three separate occasions with an overall reduction in the rate of tax from 7 per cent to 5¾ per cent, and calls on the Treasurer to correct his statement in accordance with the established practices of the House.
- 108 **MR MULDER** — To move, That this House — (a) condemns the Minister for Transport for his cowardly and misleading attack on the City of Knox, claiming that the City of Knox were law breakers and had placed ‘No Tolls’ signs on a declared road network, as since this outrageous claim was made by the Minister in this House, VicRoads have found that the ‘No Tolls’ bill board was in fact not on the road reserve and the City of Knox had not broken the law; and (b) eagerly awaits the Minister for Transport’s personal explanation and full apology to the City of Knox.
- 109 **MR INGRAM** — To move, That this House takes note of the comments on the adjournment debate of 28 October 2003 by the Leader of the Upper House in the other place, the Hon John Lenders, when he, in commenting about a recent visit to the electorate office of Bass, stated a number of constituents were pining for the days when the former Member for Gippsland West was their local member, because she did a much better job than the current Member for Bass who they now never see or hear of.

- 110 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Drugs and Crime Prevention Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 111 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Economic Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 112 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Law Reform Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 113 **MR HONEYWOOD** — To move, That this House calls on the Chair and other Government members of the all-party Environment and Natural Resources Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 114 **MR McINTOSH** — To move, That the Premier urgently gives a reference to the Scrutiny of Acts and Regulations Committee to inquire into whether the Department of Premier and Cabinet's 'Guidelines for Submissions and Responses to Inquiries' unduly trespasses upon the rights and freedoms of the Parliament of Victoria or insufficiently subjects the Bracks Government to proper parliamentary scrutiny.
- 115 **MR KOTSIRAS** — To move, That this House calls on the Chair and other Government members of the all-party Education and Training Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

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- 116 **MRS SHARDEY** — To move, That this House calls on the Chair and other Government members of the all-party Family and Community Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 117 **MR SMITH** — To move, That this House calls on the Chair and other Government members of the all-party House Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 118 **MR MULDER** — To move, That this House calls on the Chair and other Government members of the all-party Road Safety Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 119 **MR DIXON** — To move, That this House calls on the Chair and other Government members of the all-party Outer Suburban/Interface Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 120 **DR NAPHTHINE** — To move, That this House calls on the Chair and other Government members of the all-party Rural and Regional Services and Development Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.
- 121 **MR PERTON** — To move, That this House calls on the Chair and other Government members of the all-party Public Accounts and Estimates Committee to stand up to the Premier's outrageous 'Guidelines for Submissions and Responses to Inquiries' that they are now required by the politburo Department of Premier and Cabinet to implement, and that these Government members come forward and detail to the House each occasion when independent departmental and statutory authority submissions and advice have been censored, edited or vetoed so as to compromise Government members' responsibilities to this Parliament's independent committee work.

- 122 **MR LANGDON** — To move, That this House congratulates the members of the Library Committee for refusing to play stupid political games.
- 123 **MR STENSHOLT** — To move, That the Opposition be condemned for not being willing to stand up for anything when it comes to parliamentary committees but being only willing to read out parrot-like.
- 124 **DR NAPHTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for doing nothing whilst waiting lists and waiting times for essential public dental services in rural and regional Victoria have significantly increased; and (b) notes, in particular, that the Government has failed to act whilst waiting times for dentures and general dental care have now increased to more than four years in Warrnambool, Portland and Hamilton, causing serious pain and suffering to those in need of vital dental care.
- 125 **MR INGRAM** — To move, That this House calls on the Government to endorse the continuation of game hunting and, in particular, duck shooting, as a legitimate sporting activity in Victoria due to its cultural significance and economic benefits to regional areas.
- 126 **MR SAVAGE** — To move, That this House calls on the Government to commit to the 2004 duck season due to its cultural significance and economic benefits to Victoria.
- 127 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to protect Melbourne's open space resources and undermining the amenity of that open space including at Royal Park, Jolimont, Kew Cottages, Burnley Gardens, Werribee, Frankston, Bayswater and the Yarra.
- 128 **DR NAPHTHINE** — To move, That this House — (a) condemns the uncaring city-centric Bracks Labor Government for its failure to respond to the well-presented business plan from the Westvic Helicopter Board by the date promised by Premier Bracks of 30 June 2003; and (b) notes that the south-west remains the only area of rural Victoria not covered by a helicopter rescue service and understands the importance of this service for search and rescue, air ambulance services, fire fighting and police activities, and also recognises the very real life saving benefits of this service.
- 129 **MR BAILLIEU** — To move, That this House condemns the Minister for Transport and the Minister for Planning for their silence on the proposed closure of the Swanston Street entrance to Melbourne Central Train Station on the corner of La Trobe Street which will inconvenience thousands of public transport users, disrupt the popular train/tram interchange and force commuters to undertake a circuitous route through the Melbourne Central Shopping centre to access the station.
- 130 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for doing nothing to prevent the practice of Councils rejecting applications for in-ground swimming pools because of their clearly ludicrous and arbitrary contention that the excavation involved would contravene local covenants preventing quarry or mining in metropolitan Melbourne.
- 131 **DR NAPHTHINE** — To move, That this House condemns the Minister for Transport and the city-centric Bracks Labor Government for failing to meet its election promise to have the Warrnambool Deakin University Railway Platform built and in operation by November 2003 and notes that to date there has been no work on the site of this promised Deakin Railway Platform.

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- 132 **MR SYKES** — To move, That this House condemns the Government for its abject failure to consult local communities and property owners in particular, prior to its recent announcement that locations at Baddaginnie, Pittong and Tiega have been identified as prospective sites for a hazardous waste dump and calls upon the Government to now release all relevant information giving rise to its decision so that appropriate community consultation can take place regarding this critical issue.
- 133 **MRS SHARDEY** — To move, That the Bracks Government, and in particular the Minister for Transport and the Minister for Community Services, be condemned for failing to take appropriate action to curb the fraud the Government has been aware of since at least 2001, being perpetrated under the Multi-Purpose Taxi Program and instead punishing the Victorians of the fraud by introducing appalling changes to the scheme which will decimate benefits for the disabled and the elderly, leave them trapped in their homes and deny them their human right to fully participate in society, a right which was supposed to be guaranteed under the Victorian State Disability Plan.
- 134 **MR THOMPSON** — To move, That the Bracks Government, and in particular the Minister for Transport and the Minister for Community Services, be condemned for failing to take appropriate action to curb fraud being perpetrated under the Multi-Purpose Taxi Program and instead punishing the victims of the fraud by introducing appalling changes to the scheme which will decimate benefits for the disabled, and in particular the ethnic disabled, leave them trapped in their homes and deny them their human right to fully participate in society, a right which was supposed to be guaranteed under the Victorian State Disability Plan.
- 135 **DR NAPHTHINE** — To move, That this House condemns the city-centric Bracks Labor Government for its failure to provide \$1 million, being the State's share of funding for Warrnambool's Brauerander Park Athletics Community and Sporting Development, despite the Premier saying in 2001 that his Government would be happy to contribute towards a three-way partnership involving local, state and federal governments and noting that contributions have already been received from the Federal Government (\$1 million), local government and the local community.
- 136 **DR NAPHTHINE** — To move, That this House condemns the city-centric Bracks Labor Government for discriminating against regional and rural Victoria in public housing expenditure with only 17.8 per cent of funding for rental acquisitions, 15.7 per cent of funding for improvements and 8.3 per cent of funding for redevelopments allocated to projects in regional and rural Victoria, despite 27 per cent of Victorians living in these areas and a significantly growing public housing waiting list in country areas.
- 137 **MRS SHARDEY** — To move, That the Bracks Government be condemned for cutting budget funds to homeless assistance programs both last year and this year, by \$12.2 million in 2002–03 from the expected outcome for 2001–02 and by \$18.7 million from the 2002–03 outcome to the 2003–04 target, and its failure to provide crisis accommodation in the Dandenong area promised some three years ago despite the increase reported on 19 November 2003 in Victoria's homeless of 14 per cent, a figure which should provide a wake-up call to a Government which has been big on rhetoric and short on getting the job done.
- 138 **MR PERTON** — To move, That this House condemns the Bracks Government for failing the students of Daylesford Primary School by deliberately setting a staffing budget for the school which will force the school to shed experienced staff and cut support programs for students and, further, that this House agrees with the School Council President, Colin Priest, that this is

‘deplorable for a Government that had education as a key election promise’ and ‘this funding crisis is having a negative effect on teacher and student morale’.

- 139 **MR PERTON** — To move, That this House condemns the Member for Ballarat East for failing the students of Daylesford Primary School by acquiescing to the Bracks Government staffing budget for the school which will force it to shed experienced staff and cut support programs for students and further condemns him for failing to defend the right to a good education in the state schools of Daylesford.
- 140 **MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Thomastown West Primary School by capriciously imposing a \$10,000 WorkCover penalty which will cause a reduction in the size of the teaching staff at the school and, further, that this House agrees with the School Council President, Lisa Courescas, that this Government should ‘rescind this unjust financial imposition on schools’.
- 141 **MR PERTON** — To move, That this House condemns the Member for Thomastown for failing the students of Thomastown West Primary School by acquiescing to the Government’s imposition of a \$10,000 WorkCover penalty and failing to stand up for the rights of the students and parents of Thomastown West Primary School.
- 142 **MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Lorne-Airey’s Inlet P-12 College by capriciously imposing a \$10,000 WorkCover penalty which will cause a reduction in the size of the teaching staff at the school and further, that this House expresses its support for the School Council President, Angus McKenzie, who has said, ‘this school council is disappointed and angry at the Government’s policy of devolving WorkCover premium to schools; we have already endured one bitter disappointment this year when the long awaited building project was not listed for master planning’.
- 143 **MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Daylesford Secondary College by capriciously imposing a WorkCover penalty which will cause a reduction in the size of the VCE teaching staff at the school and, further, that this House agrees with the Daylesford Secondary College School Council President, Barry Golding, and the Principal, Heather McIntyre, that ‘this policy is an indictment on those who wrote it and those who support it; in the end the losers are our students’.
- 144 **MR PERTON** — To move, That this House condemns the Member for Ballarat East for failing the students of Daylesford Secondary College by acquiescing to the Bracks Government staffing budget for the school which will force it to shed staff because of a WorkCover penalty imposed by the Minister for Education Services and further condemns him for failing to defend the right of children to a good education in the state school of Daylesford.
- 145 **MR PERTON** — To move, That this House dissents from the ruling of the Speaker on 19 November 2003 when she used Sessional Order 10 in an impulsive fashion and for her refusal to follow the ruling of Deputy Speaker McGarth recorded in the *Rulings from the Chair*, July 2003, at p 71 which reports as follows ‘the Deputy Speaker drew attention of the House to his concern about continual requests for the withdrawal of words that have, in the past, been used regularly in the cut and thrust of debate. He pointed out that when members decide to take exception to words used in the House, they should be mindful that they do not paint themselves in a corner and so reduce the vocabulary that can be used that future debates will be inhibited

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and that common sense is needed' and instead for using the narrowest interpretation of parliamentary practice.

- 146 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing for exhibiting far more interest in overseas trips, photographic self-promotion and fancy new pin-striped suits than in the families affected by the Government's decision to foist a toxic waste dump on farming communities.
- 147 **MS ASHER** — To move, That this House condemns the Minister for Manufacturing for his cavalier and supercilious attitude to Victorians as evidenced by his expenditure of over \$100,000 on advertisements featuring his own photo, his extensive overseas travel and his regal-like insistence that families affected by the Government's proposed toxic waste dump at Tiega drive 1¼ hours to Mildura to see him, rather than the Minister visiting the families themselves and expresses support for Renee Morrish's statement that 'he [the Minister] did not have the guts to come to us — my parents had to go to him in Mildura'.
- 148 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for — (a) doing nothing to prevent the recent but repeated refusal of applications for in-ground swimming pools by VCAT, and the Cities of Glen Eira and Boroondara in particular, on the grounds that excavations for such pools would constitute 'quarrying' and hence be in conflict with old covenants preventing quarrying or mining in metropolitan Melbourne; and (b) forcing residents with applications to expend tens of thousands of dollars pursuing legally difficult applications for covenant removals despite in-ground pools existing in immediately adjacent homes.
- 149 **DR NAPHTHINE** — To move, That this House condemns the uncaring city-centric Bracks Labor Government for its failure to support the provision of a much needed life-saving multi-purpose emergency helicopter service for south-west Victoria and notes that this service would have been used on 22 November 2003 to recover and transport to hospital a 15 year old with a broken femur from the isolated sand dunes of the Swan Lake area and that, without this service, this young man had to be physically carried for 4 to 4½ hours across these dunes prior to being placed into an ambulance and taken another hour to hospital.
- 150 **MR BAILLIEU** — To move, That this House congratulates the Australian Rugby Union for its exemplary conduct of the 2003 World Cup, Martin Johnson and the English team for their amazing last gasp victory, George Gregan and the Wallabies for their sensational efforts and all other teams, fans and volunteers for their high-spirited, good-hearted support of the heavenly game and this tournament in particular and urges the earliest possible inclusion of a Victorian team in the Super 12 competition, pending a return bout in 2007.
- 151 **MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Osborne Primary School by capriciously imposing a \$10,000 WorkCover penalty which will cause anxiety for the school and its management and further, that this House expresses its support for the School Council President of Osborne Primary School Mr Ric Bugg, who has said 'were the school to move to a significant WorkCover disincentive in the future, (potentially through no fault of our own), up to \$10,000 would not be available for the education of our children; we find this totally unacceptable'.
- 152 **MR PERTON** — To move, That this House condemns the Member for Western Port for failing the students of Osborne Primary School by acquiescing to the Government's imposition of a WorkCover penalty and failing to stand up for the rights of the students and parents of Osborne Primary School.

- 153 **MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Highvale Secondary College by capriciously imposing a \$10,000 WorkCover penalty which will cause anxiety for the school and its management insofar as they acknowledge that under this system ‘anticipated savings can quickly turn into an actual loss as a result of a serious but unpreventable accident’; and (b) expresses its support for the College Council President, Mr Daryl Lynch, who says ‘the Highvale Secondary College Council wishes to express in the strongest terms its opposition to the imposition of the partial transfer of responsibility for WorkCover to schools in 2004 and asks that this decision be reversed ...; the threat of this WorkCover disincentive arrangement will compromise schools keen to improve conditions through additional local fundraising, as well as creating considerable uncertainty in their budgeting for future expenditure ...’.
- 154 **DR NAPTHINE** — To move, That this House condemns the Minister for Education Services and the Bracks Labor Government for failing the students of government schools throughout south-west Victoria through the unfair and unjustified imposition of WorkCover penalties of up to \$10,000 on these schools, forcing schools to reduce staff, curriculum programs and/or student services and calls on the Government to act in the best interests of students and state education by rescinding this unjust financial imposition on hard working local schools.
- 155 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for knowingly misleading the House when she said in debate on changes to the Urban Growth Boundary that public submissions made on the implementation of Melbourne 2030 were available on the Government website when they are not, and never have been.
- 156 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to provide any legal advice that submissions made on the implementation of Melbourne 2030 could not be made available because of the Privacy Act (as claimed at a briefing on changes to the Urban Growth Boundary) when the request for submissions specifically contemplated public release and legislation and standard practice provides that all submissions to panels are made public.
- 157 **MR THOMPSON** — To move, That this House condemns the Bracks Government for the funding cuts to school sporting bodies which will result in Victorian school children being — (a) deprived of the opportunity to participate in sporting activities which have been identified as the major response to childhood obesity; (b) unable to represent their State in interstate competitions; and (c) disadvantaged at national competitions due to the lack of available sporting carnivals.
- 158 **MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Coburg West Primary School by capriciously imposing a \$10,000 WorkCover penalty and further, that this House notes the comment of the school council which states — ‘(a) our school has incurred a premium cost to the school of \$10,000 which will have a considerable impact on the education provided to the children; as this premium will be deducted from the staffing credit component in the school global budget the direct result is there will be less teaching time available; (b) we agree that schools should be prepared to accept responsibility for situations that they believe are within their sphere of management, but in many cases WorkCover liabilities are way beyond our control; and (c) at our school we take the responsibility of providing a safe workplace extremely seriously and have in place a rigorous process of safety inspections including the provision of professional development in voice care’.

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- 159 **MR PERTON** — To move, That this House condemns the Member for Brunswick for failing the students of Coburg West Primary School by acquiescing to the Government's imposition of a \$10,000 WorkCover penalty and failing to stand up for the rights of the students and parents of Coburg West Primary School.
- 160 **MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Traralgon South Primary School by capriciously imposing a \$2,900 WorkCover penalty which will cause great financial hardship to this small school community whose annual income through fundraising will be absorbed; and (b) expresses its support for the School Council President of Traralgon South Primary School Chris Madsen who commented 'the school council believes that these changes unfairly impose a financial penalty on schools that ultimately penalises students at our school ... we also object to the proposed capping thresholds and methods of calculation; for our school the 'penalty' cap is set at \$2,900, yet the 'incentive' cap is a mere \$580'.
- 161 **MR PERTON** — To move, That this House condemns the Member for Morwell for failing the students of Traralgon South Primary School by acquiescing to the Government's imposition of a \$2,900 WorkCover penalty and failing to stand up for the rights of the students and parents of Traralgon South Primary School.
- 162 **MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Gilmore College for Girls, by capriciously imposing a \$10,000 WorkCover penalty; and (b) notes the comment of the school that 'one of the teachers fell over a piece of uneven pavement while on a school excursion; what could we have done to prevent this ... we have recently been awarded the National Literacy Award receiving \$10,000 to strengthen our laudable work in this area; perhaps we should simply redirect the cheque'.
- 163 **MR PERTON** — To move, That this House condemns the Member for Footscray for failing the students of Gilmore College for Girls by acquiescing to the Government's imposition of a \$10,000 WorkCover penalty and failing to stand up for the rights of students and parents of Gilmore College for Girls.
- 164 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to release the Victorian Wind Atlas as promised and for continuing to conceal its contents from stakeholders, particularly local councils and resident groups, when that same Wind Atlas has been made available to the wind industry.
- 165 **MR BAILLIEU** — To move, That this House condemns the Minister for Planning for ruling out the requirement for an environment effects statement for the proposed Ballan windfarm against the wishes of local residents and the local council.
- 166 **MR BAILLIEU** — To move, That this House condemns the Premier for riding roughshod over local communities and for mistreating correspondence strongly critical of the Government's decision on the Burnley Gardens development and, indeed, writing back thanking just such a correspondent for his 'support for the proposed development'.
- 167 **MS BEATTIE** — To move, That this House notes that experience rating in WorkCover was implemented by the Liberal-National Government to encourage greater management control for injuries and condemns the Member for Doncaster for his back-flip.

- 168 **MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Greenvale Primary School by capriciously imposing a WorkCover penalty which will cause great financial hardship to this school whose annual income through fundraising, along with all of its direct educational benefits to the students, will be absorbed by this impost; and (b) expresses its support for the School Council President of Greenvale Primary School, Mr Glen Moore, who has said ‘... this will just put more pressure on the school’s ability to deliver its programs which basically means the kids will miss out for what I believe to be a penny pinching exercise by the State Government ... the Government seems to have little idea of the nature of the work teachers, principals, assistant principals etcetera have in today’s environment ...’.
- 169 **MR PERTON** — To move, That this House condemns the Member for Yuroke, the Member for Melbourne North Province; the Minister for Local Government, and Housing, and the Minister for Small Business, and Information and Communication Technology, for failing the students of Greenvale Primary School by acquiescing to the Government’s imposition of a WorkCover penalty and failing to stand up for the rights of the students and parents of Greenvale Primary School.
- 170 **MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Drysdale Primary School by capriciously imposing a system of WorkCover penalties which will cause anxiety for the school and its management who will have to work hard to preserve the slender \$9 margin keeping them in credit and not deficit this year; and (b) agrees with the School Council President Jim Day, and Principal Claire Wilson, who say ‘it is the Department’s ultimate responsibility to ensure a safe workplace for their employees ... parents should not have to see their fundraising monies spent on WorkCover premium liabilities’.
- 171 **MR PERTON** — To move, That this House condemns the Member for Bellarine and the Members for Geelong Province for failing the students of Drysdale Primary School by acquiescing to the Government’s imposition of an unfair system of WorkCover penalties and failing to stand up for the rights of the students and parents of Drysdale Primary School.
- 172 **MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Cobden Technical School by capriciously imposing a \$10,000 WorkCover penalty, causing the school to review and likely reduce its commitments to school sporting competitions; and (b) expresses its support for the school view that ‘Cobden Technical School faces a charge against our school global budget for a WorkCover premium of \$10,000; this is in spite of the fact that one “injury” that has caused an increase in our premium was not one we could have planned for nor guarded against ... Council has concluded that we might well be advised to reduce the level of sporting competition in the school for it was at a school athletics event that the injury referred to above occurred ... was it intended when this policy was drafted to have this impact on schools’.
- 173 **MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Langwarrin Primary School by capriciously imposing an \$8,000 WorkCover penalty which will cause a deficit at the school, an amount equal to the school’s annual fundraising budget, that will directly impact on the school’s educational priorities and result in the slashing of school programs, severely disadvantaging students at the school; and (b) agrees with the School Council President Phil Cavill, and Vice President Lindsey Harris, who say ‘that schools are now made to pay a portion of WorkCover claims is an insinuation that school principals are not properly managing the making of such

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claims by staff ... WorkCover is a systemic problem and not the responsibility of individual schools’.

- 174 **MR PERTON** — To move, That this House condemns the Member for Hastings and the Member for Western Port Province for failing the students of Langwarrin Primary School by acquiescing to the Government’s imposition of an \$8,000 WorkCover penalty and failing to stand up for the rights of the students and parents of Langwarrin Primary School.
- 175 **MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Tinternvale Primary School by capriciously imposing a system of WorkCover penalties which will cause a reduction in funding to the tune of \$7,000 this year alone, which would otherwise have benefited the children and their schooling; and (b) expresses its support for the School Council President Lynda Green, who has said ‘this decision affects all the members of the school community, in particular our children ...’.
- 176 **MR PERTON** — To move, That this House condemns the Member for Kilsyth and the Labor Member for Silvan Province, for failing the students of Tinternvale Primary School by acquiescing to the Government’s imposition of a system of WorkCover penalties, shifting costs onto schools and for failing to stand up for the rights of the students and parents of Tinternvale Primary School.
- 177 **MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of St Albans Heights Primary School by capriciously imposing a system of WorkCover penalties which will cause a deficit of \$6,670 at the school that will directly impact on the school’s educational priorities; and (b) agrees with the School Council President Julie Van Staeden, and its Principal George Kalandadse, that this Government should make ‘an honest attempt at consultation with a view to investigating how schools and the Department can work together to identify and best manage injury prevention position on schools’; and ‘... if the Government is so keen to lower WorkCover costs and provide a healthy and safe workplace for their staff, then we believe that they should review the Physical Resources Management System (PRMS) program and recommence the payment of maintenance money so that schools can return to the PRMS audited items and have them repaired ...’.
- 178 **MR PERTON** — To move, That this House condemns the Member for Derrimut and the Members for Doutta Galla Province for failing the students of St Albans Heights Primary School by acquiescing to the Government’s imposition of a \$6,670 WorkCover penalty and failing to stand up for the rights of the students and parents of St Albans Heights Primary School.
- 179 **MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of North Geelong Secondary College by capriciously imposing a system of WorkCover penalties which will cause financial difficulties for the school that ultimately penalise students; and (b) agrees with the School Council President Gail Lowe who said ‘to help reduce WorkCover claims, school councils and principals require adequate resources, professional development and professional support, not financial “incentives” which ultimately jeopardise school programs; students in the Victorian public education system should not pay for the inadequacies of the Victorian Department of Education, or the funding policies of the Government of the day’.

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- 180 **MR PERTON** — To move, That this House condemns the Members for Geelong Province for failing the students of North Geelong Secondary College by acquiescing to the Government's imposition of a system of WorkCover penalties and failing to stand up for the rights of the students and parents of North Geelong Secondary College.
- 181 **MS BEATTIE** — To move, That this House condemns the Member for Doncaster for his demand that schools with a good work injury management record have their budgets reduced.
- 182 **MR HERBERT** — To move, That this House condemns the Member for Doncaster for providing misleading information about truancy figures to his local newspaper and forcing his local schools to correct him.
- 183 **MR HOWARD** — To move, That this House condemns the Member for Doncaster for being part of a government that, when in office, sacked 9,000 teachers and closed 300 schools.
- 184 **MS ECKSTEIN** — To move, That this House congratulates the Bracks Government for its continued investment in education and for putting an extra \$3.69 billion into schools since October 1999, which includes 4,000 extra teachers and staff plus \$959 million capital works, plus lowered class sizes or numbers.
- 185 **MR CRUTCHFIELD** — To move, That this House condemns the Member for Doncaster for being all puff and no substance in his desire to prevent system improvements to prevent injuries.
- 186 **MR HELPER** — To move, That this House condemns the Liberal Party for abandoning any commitment to the long-held policy that work injury prevention needs incentives and disincentives to bring about less injuries and suffering for people and their families.
- 187 **MR LUPTON** — To move, That this House condemns the Member for Doncaster for his tedious repetition.
- 188 \***MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Spotswood Primary School by capriciously imposing a system of WorkCover penalties which will cause anxiety for the school and its management as well as the wider network of which it forms a part, that will result in the slashing of school programs severely disadvantaging students; and (b) agrees with the School Council Secretary, Peter McIver, who says 'the School Council believes that these changes unfairly impose a financial penalty on schools that ultimately penalises students ... students in the Victorian public education system should not pay for the inadequacies of the Department of Education or the funding policies of the government of the day'.
- 189 \***MR PERTON** — To move, That this House condemns the Member for Williamstown and the Members for Melbourne West Province for failing the students of Spotswood Primary School by acquiescing to the Government's imposition of a system of WorkCover penalties and failing to stand up for the rights of the students and parents of Spotswood Primary School.
- 190 \***MR MULDER** — To move, That this House condemns the Minister for Transport for his callous attack on Victoria's frail elderly and those with disabilities by cutting their access to the Multi Purpose Taxi Scheme whilst at the same time sitting on a \$207 million secret slush fund.
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- 191 **\*MR MULDER** — To move, That this House condemns the Minister for Transport for his callous attack on Victorian pensioners, students and children by increasing public transport fares by up to 89 per cent whilst at the same time sitting on a \$207 million secret slush fund.
- 192 **\*MR MULDER** — To move, That this House condemns the Minister for Transport for failing to provide vital funding for upgrades of country roads whilst at the same time sitting on a \$207 million secret slush fund.
- 193 **\*MR MULDER** — To move, That this House ferrets out and condemns those responsible for the establishment of the Bracks Labor Government’s secret \$207 million slush fund.
- 194 **\*MR SAVAGE** — To move, That this House records the fact that the following Tiega families — Bill and Colleen Morrish, Brent Morrish and Melissa Pohlner, Alex and Judy Poole, Graham and Bev Morrish, Walter and Cheryl Munro, Dean and Lyndal Munro, Jarrod and Briony Munro, and Graham and Jean Wakefield’s — properties and homes are not for sale under any circumstances.
- 195 **\*MR SAVAGE** — To move, That this House calls upon the Government to abandon its plans to consider Tiega as a potential toxic waste storage facility.
- 196 **\*MR LUPTON** — To move, That this House condemns the Member for Doncaster for his support in government of the closure, in the Prahran electorate, of Ardoch Windsor Secondary College, Hawksburn Primary School and Prahran Secondary College.
- 197 **\*MR BAILLIEU** — To move, That this House notes with alarm the annual report of the Surveyor General and in particular the failure of the Government to address the need for high priority maintenance of the Survey Control Network, the fundamental cornerstone of Victoria’s Land Property system, when that maintenance is estimated to require up to \$70 million and is recommended and supported by the Auditor-General, the Surveyor General, RMIT, and the surveying industry in general, and condemns the Minister for Planning and Land Victoria for rejecting the recommendations in this regard by a review panel established by the previous Minister.
- 198 **\*MR BAILLIEU** — To move, That this House notes with alarm the annual report of the Surveyor General and in particular the Surveyor General’s comments that administrative arrangements undertaken by the Government and the previous Minister which transfer responsibility for the Survey Control Network and the calibration of surveying equipment to Land Victoria’s Land Information Group and the transfer of the supervision of the Central Plan Office to the Land Registry, ‘continue to not align with legislation’ and condemns the Minister for Planning for not acting to overturn these arrangements when, as the Surveyor General reports, ‘these arrangements have been reported by the Surveyor General to the Department for four successive years and the anomalies have also been reported to the Parliament by the Auditor-General’, and further when he reports that ‘there have been no actions undertaken to ensure alignment with legislation’.
- 199 **\*MR MAXFIELD** — To move, That this House condemns the Member for Doncaster for his support in government of the closure, in the Narracan electorate, of Eirca Primary School, Neerim East Primary School, Warragul West Primary School, Trafalgar East Primary School and Nilma North Primary School.

- 200 **\*MR CLARK**— To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Box Hill High School by capriciously imposing an \$10,000 WorkCover penalty, an amount that will absorb completely the school's annual budget from its major fundraising evening and which will directly impact on the school's educational priorities, disadvantaging students at the school; and (b) agrees with the School Council Principal Rob Jenkin who says 'it is particularly demoralising for members of the school community to work hard to raise funds for their school, only to find them removed at the whim of the Department ... the whole scheme is a cynical claw back of funds from school budgets'.
- 201 **\*MS BARKER**— To move, That this House condemns the Member for Doncaster for his support in government of the closure of Murrumbeena Secondary College which has left students in Carnegie, Murrumbeena and Glenhuntly areas with no government secondary college in their area.
- 202 **\*MS ASHER** — To move, That this House condemns the Minister for Manufacturing and Export for his insensitivity in foisting a toxic waste dump on rural Victorians and notes his interview on Horsham radio on 12 November 2003 where he said 'but I can understand ... I spoke to Mr Wakefield this afternoon; um it's um, I can imagine a very frustrating and surprising process for him, particularly for people who have lived on the land for a long period of time, where the property has been in the family for many generations; um, when I say understand, perhaps I cannot understand because it has not happened to me, but I think it was very important that ministers who are responsible ultimately for making these decisions do ring people directly, speak with them, hear their views and explain as clearly as possible the way the process will work from here' ... and calls on the Minister to explain, in his own words 'as clearly as possible' whether he does or does not understand the anguish he has foisted on these affected communities.
- 203 **\*MS BEARD** — To move, That this House condemns the Member for Doncaster for his support in government of the closure, in the Kilsyth electorate, of Kilsyth East Primary School and Ringwood Primary School.
- 204 **\*MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Newlyn Primary School by capriciously imposing \$8,000 WorkCover penalties which will cause anxiety for this small rural school and its management and which may lead to instances of systemic discrimination against teachers who have been injured in a work place, and place unacceptable pressure on principals to influence staff WorkCover claims and processes to an extent that is unfair and unreasonable; and (b) agrees with the words of School Council President, Andrew Joliffe, who says 'occupational health and safety is clearly a responsibility of the employer, that is the Department of Education and Training'.
- 205 **\*MR PERTON** — To move, That this House condemns the Member for Ballarat East and the Members for Ballarat Province for failing the students of Newlyn Primary School by acquiescing to the Government's imposition of an \$8,000 WorkCover penalty and failing to stand up for the rights of the students and parents of Newlyn Primary School.
- 206 **\*MR CRUTCHFIELD** — To move, That this House condemns the Member for Doncaster for sitting on his hands as his Government closed, in his own electorate, Doncaster Heights Primary School, Doncaster East Primary School and Doncaster Park Primary School as part of the Liberal-National Government attack on Victoria's education system between 1992–1999.

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- 207 \***MR DIXON** — To move, That this House condemns the Government for demanding, without warning, schools to pay WorkCover premiums from their global budgets, further it especially notes Dromana Primary School's bill for \$9,723 and its school council's question 'where do you suggest we take this money from — the teaching support area ... or from school maintenance'.
- 208 \***MR DIXON** — To move, That this House condemns the Member for Western Port Province for his acquiescence and support of the Government's demand for \$9,723 from Dromana Primary School when its school council describes the demand as inequitable and not realistic.
- 209 \***MS D'AMBROSIO** — To move, That this House congratulates the Bracks Government for its outstanding \$959 million investment in new school and TAFE buildings, including the funding of 21 new and replacement schools in its first term, and a commitment to build at least 15 new schools in its second term of Government.
- 210 \***MR BAILLIEU** — To move, That this House condemns the Minister for Planning for failing to prevent the loss of open space in Metropolitan Melbourne by encouraging open space trading across the Urban Growth Boundary including the transfer of long established community golf courses.
- 211 \***MR BAILLIEU** — To move, That this House condemns the Minister for Planning and the Minister for Environment for failing to enforce Environment Protection Authority buffer zones in the Greater Dandenong Planning Scheme by giving planning approval, despite the wishes of local residents and the Council, to a school, namely Mt Hira College, within that buffer zone around areas of hazardous waste collection, thereby establishing a precedent now being exploited by other applicants including for a church at 198 Perry Road, Keysborough, now supported by Council officers, with the extraordinary comment in an officer's report that 'it has now become common knowledge ... that places of worship are not considered to be among land uses that are discouraged in the buffers precinct, as they do not entail large gatherings of people over long periods of time'.
- 212 \***MR BAILLIEU** — To move, That this House — (a) notes with grave concern the comments of Environment Protection Authority head, Mr Mick Bourke, at a public hearing of the Outer Suburban and Interface Services and Development Committee on Monday 24 November 2003, when he said that Noise Control Guidelines for Windfarms were only guidelines and that detection of breaches would probably require several years of monitoring; and (b) condemns the Minister for Planning and the Minister for Environment for not ensuring that strict standards of noise control for windfarms are both provided and enforced.
- 213 \***MS BEATTIE** — To move, That this House condemns the Member for Doncaster for his support in government of the closure of over 300 schools, including Bulla Primary School in the Yuroke electorate.
- 214 \***MS BEATTIE** — To move, That this House applauds the highly successful and tireless efforts of Premier Bracks and Treasurer Brumby in attracting investment and jobs to Victoria.
- 215 \***MS BEATTIE** — To move, That this House congratulates the Premier in his successful strategy of making Victoria the powerhouse of aviation in the southern hemisphere.
- 216 \***MS BEATTIE** — To move, That this House applauds the principled decision of the Leader of the Opposition and the Deputy Leader of the Opposition to stay out of the Chamber and not support the Member for Doncaster when a quorum count was called last evening.

- 217 \***MR HONEYWOOD** — To move, That this House condemns the Minister for Education and Training and the Bracks Government for compulsorily closing Pimpinio Primary School, Harrow Primary School and the Basin Primary School over the last four years, all in the one electorate of Lowan.
- 218 \***MR WYNNE** — To move, That this House condemns the Member for Doncaster for his support while in government of the closure of Fitzroy Secondary College in the Richmond electorate, despite massive community opposition and a thirteen month community blockade of the site, and applauds the Bracks Government's decision to renovate and re-open the school in 2004 with a funding allocation of \$6 million.
- 219 \***MR NAPTHINE** — To move, That the Minister for Education and Training and the Minister for Education Services recognise the urgent need for a major redevelopment of the Portland South Primary School to bring its facilities up to the standard required for students and teachers in the twenty-first century and that the Bracks Labor Government provides the necessary capital funding for this redevelopment in the 2004–05 State budget.
- 220 \***MS OVERINGTON** — To move, That this House condemns the Member for Doncaster for his support in government of the closure of the Humffrey Street and Queen Street Primary schools in the electorate of Ballarat West.
- 221 \***MR HELPER** — To move, That this House condemns the Member for Doncaster for his support in government of the closure of over 170 schools in country Victoria, including the Ripon electorate.
- 222 \***MR THOMPSON** — To move, That this House condemns the Bracks Government for the closure of the Hampton Rehabilitation Hospital and community funded hydrotherapy pool funded by community donations.
- 223 \***MR THOMPSON** — To move, That this House condemns the Bracks Government for the incorporation of the WorkCover premiums into the school budgets of Sandringham electorate schools which, in the case of Beaumaris North Primary School, will reduce funds available to be spent on students by approximately \$10,000, when in turn this shortfall can only be made up by increasing voluntary contributions or through increased fund raising by parents.
- 224 \***MR MERLINO** — To move, That this House — (a) condemns the Liberal Party of Victoria for its complete failure in the youth affairs portfolio, as evidence by the fact that — they had no dedicated youth agency in government; they had no youth policy at the last election; they have no Shadow Minister for Youth Affairs; their spokesman does not turn up to Departmental youth affairs briefing arranged at the spokesman's request, and did not both to turn up at the youth affairs Public Accounts and Estimates Committee's hearings; their spokesman has not asked a single question on youth issues either with or without notice in Parliament all year; and (b) condemns the Liberal Party for showing absolutely no interest in young people in Victoria.
- 225 \***MR SMITH** — To move, That this House congratulate the Member for Doncaster for raising the important issue of the Bracks Government stealing the funds of school councils to pay WorkCover premiums to prop up the Bracks Government's poor financial position.
- 226 \***MS McTAGGART** — To move, That this House condemns the Member for Doncaster on his constant scaremongering and his lack of commitment and support for the State education system.

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- 227 **\*MR PERTON** — To move, That this House condemns the Minister for Education Services and the Bracks Government for failing the students of Doncaster Secondary College by capriciously imposing a \$10,000 WorkCover penalty, the maximum under the Government’s system, that will directly and negatively impact on the school’s educational priorities and planning, resulting in programs being slashed and severely disadvantaging Doncaster students.
- 228 **\*MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Avenel Primary School by capriciously imposing a system of WorkCover penalties which will cause this small, under funded rural school to go into ever deeper deficit as a result of ongoing liabilities stemming from a workplace injury sustained three years ago, which will directly impact on the school’s educational priorities and result in school programs being slashed, severely disadvantaging students at the school; and (b) agrees with the School Council President Clyde Joachim who says ‘Students in the Victorian public education system should not pay for the inadequacies of the Victorian Department of Education, or the funding policies of the government of the day’.
- 229 **\*MR PERTON** — To move, That this House condemns the Labor Member for Central Highlands Province for failing the students of Avenel Primary School by acquiescing to the Government’s imposition of an unaffordable WorkCover penalty and for failing to stand up for the rights of the students and parents of Avenel Primary School.
- 230 **\*MR PERTON** — To move, That this House — (a) condemns the Minister for Education Services and the Bracks Government for failing the students of Kyabram Secondary College by capriciously imposing a system of WorkCover penalties which creates uncertainty and anxiety for the school and its management and detracts from students’ educational opportunities, by requiring schools to build up and set aside thousands of dollars in budget ‘just in case’ of workplace injury, directly impacting on the school’s educational priorities and severely disadvantaging students; and (b) agrees with the School Council President Ian Hamono who says ‘Students in the Victorian public education system should not pay for the inadequacies of the Victorian Department of Education, or the funding policies of the government of the day’.
- 231 **\*MS MUNT** — To move, That this House condemns the closure of Highett Primary School during the Kennett Government’s assault on education in this State.
- 232 **\*MR HONEYWOOD** — To move, That this House condemns the Minister for Education Services and the Bracks Government for compulsorily closing James Harrison High School in Bellarine and at least a further 12 secondary and primary schools across Victoria over the past few years.
- 233 **\*MS LINDELL** — To move, That this House condemns the Member for Doncaster for his support while in government of the closure of Aspendale Technical School in spite of wide spread community opposition.
- 234 **\*MR NARDELLA** — To move, That this House condemns the Member for Doncaster for continually putting down public education within Victoria, not developing policy, being lazy and being totally unimaginative with his motions on this matter.
- 235 **\*MS LINDELL** — To move, That this House condemns the Member for Doncaster for his support while in government of the removal of funding for casual replacement teachers which saw preparatory students at Beaumaris North Primary School without a replacement teacher when their permanent teacher was taken ill.

- 236 \***MR DELAHUNTY** (*Lowan*) — To move, That this House condemns this Labor Government for not funding hospitals for nurse and health services enterprise bargain agreements, therefore spiralling hospital budgets into deficit and impacting on health services particularly in rural and regional Victoria, noting Victoria is bigger than Melbourne and the excellent Royal Hospital is not the only hospital in financial trouble as highlighted by the Auditor-General's Report on Public Sector Agencies tabled on 26 November 2003.
- 237 \***MS ASHER** — To move, That this House condemns the Premier for his support of the closure of Bonbeach High School by the Cain/Kirner Government.
- 238 \***MS MORAND** — To move, That this House condemns the Member for Doncaster for his tiresome repetition and his scaremongering in relation to WorkCover issues directed at primary schools in the Mount Waverley electorate.

## ORDERS OF THE DAY

- 1 **HOME LOAN SCHEME** — Petition presented by the Member for Scoresby (*26 February 2003*) — Relating to Government sponsored Home Loan Schemes — To be considered (*Mr Wells*).
- 2 **PUBLIC LAND — POINT NEPEAN** — Petition presented by the Member for Nepean (*27 March 2003*) — Relating to public land at Point Nepean — To be considered (*Mr Dixon*).
- 3 **CHURCH NURSING HOME, BLYTH STREET, BRUNSWICK** — Petition presented by the Member for Brunswick (*30 April 2003*) — Relating to the closure of Church Nursing Home in Blyth Street, Brunswick — To be considered (*Mr Carli*).
- 4 **EMERGENCY HELICOPTER SERVICE IN WARRNAMBOOL** — Petition presented by the Member for South-West Coast (*1 May 2003 and 16 September 2003*) — Relating to a multifunction emergency helicopter rescue service being established in Warrnambool — To be considered (*Dr Napthine*).
- 5 **OMBUDSMAN REPORT — ESTATE AGENTS GUARANTEE FUND** — Summary of the Report of the Ombudsman on the investigation into allegations of a conspiracy between members of the then Department of Natural Resources and Environment and the Department of Justice to defraud the Estate Agents Guarantee Fund — To be considered (*Mr Perton*).
- 6 **DEER PARK BYPASS AND WESTERN RING ROAD LINK AT FITZGERALD ROAD, SUNSHINE** — Petition presented by the Member for Derrimut (*8 May 2003*) — Relating to the link between the Deer Park Bypass and Western Ring Road at Fitzgerald Road, Sunshine — To be considered (*Mr Languiller*).
- 7 **THE PLAINS COMMUNITY CENTRE, BANNOCKBURN AND DISTRICT** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Plains Community Centre incorporating a kindergarten and maternal health centre for Bannockburn and district — To be considered (*Mr Mulder*).
- 8 **NATIONAL PARK, OTWAY RANGES** — Petition presented by the Member for Polwarth (*20 May 2003*) — Relating to the Government not supporting the creation of a large single national park in the Otway Ranges — To be considered (*Mr Mulder*).

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- 9 **TORQUAY PRIMARY SCHOOL SITE** — Petition presented by the Member for Mornington (3 June 2003) — Relating to the Torquay Primary School site in Bristol Road, Torquay — To be considered (*Mr Cooper*).
- 10 **CROSSING SUPERVISION AT KING STREET, EAST DONCASTER/TEMPLESTOWE** — Petition presented by the Member for Doncaster (4 June 2003) — Relating to providing crossing supervision at King Street, near the intersection of Greenridge Avenue, East Doncaster/Templestowe — To be considered (*Mr Perton*).
- 11 **SOUND WALL HEIGHTS ADJACENT TO ROBINSON COURT, DONVALE** — Petition presented by the Member for Doncaster (4 June 2003) — Relating to the sound wall heights adjacent to Robinson Court, Donvale — To be considered (*Mr Perton*).
- 12 **AUDITOR-GENERAL'S REPORT — RMIT'S FINANCES, JUNE 2003** — To be considered (*Mr Dixon*).
- 13 **COMMUNITY BASED EMPLOYMENT PROGRAM** — Petition presented by the Member for Sandringham (5 June 2003) — Relating to reinstating the Community Based Employment Program for agencies that are engaged in ethnospecific multicultural job placement service delivery — To be considered (*Mr Thompson*).
- 14 **PUBLIC TRANSPORT SERVICES IN BARWON HEADS, OCEAN GROVE AND THE BELLARINE PENINSULA** — Petition presented by the Member for Bellarine (26 August 2003) — Relating to a review of public transport services in Barwon Heads, Ocean Grove and the rest of the Bellarine Peninsula — To be considered (*Mr Perton*).
- 15 **NOISE BARRIERS — EASTERN FREEWAY AND KEW GARDENS ESTATE** — Petition presented by the Member for Kew (27 August 2003) — Requesting noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens Estate — To be considered (*Mr McIntosh*).
- 16 **CUTS FOR DISABILITY AND COMMUNITY SERVICES** — Petition presented by the Member for Sandringham (27, 28 August, 18 September and 26 November 2003) — Relating to the cuts proposed for Disability and Community Services 2003–2006 through productivity savings — To be considered (*Mr Thompson*).
- 17 **PUBLIC HOUSING RENTAL PAYMENTS** — Petition presented by the Member for Sandringham (27 August 2003) — Requesting the Government to reverse its decision on the increase in the percentage threshold for public housing rental payments — To be considered (*Mr Thompson*).
- 18 **TRAFFIC LIGHTS — INTERSECTION OF BENTONS ROAD AND NEPEAN HIGHWAY, MT MARTHA** — Petition presented by the Member for Mornington (27 August 2003) — Relating to funding for the installation of traffic lights at the intersection of Bentons Road and Nepean Highway, Mount Martha — To be considered (*Mr Cooper*).
- 19 **SAFETY — INTERSECTION OF BENTONS ROAD AND MOOROODUC ROAD, MOOROODUC** — Petition presented by the Member for Mornington (27 August 2003) — Relating to improving the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc — To be considered (*Mr Cooper*).

- 20 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Leader of the Opposition (*28 August and 29 October 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Doyle*).
- 21 **DEVILBEND RESERVOIR, MORNINGTON PENINSULA** — Petition presented by the Member for Mornington (*28 August 2003*) — Relating to retaining the Devilbend Reservoir in public ownership — To be considered (*Mr Dixon*).
- 22 **POLICE NUMBERS IN KENNINGTON** — Petition presented by the Member for Bendigo East (*16 September 2003*) — Relating to allocating more police members in the suburb of Kennington — To be considered (*Mr Wells*).
- 23 **MITCHAM-FRANKSTON (EASTERN AND SCORESBY) FREEWAY** — Petition presented by the Member for Scoresby (*16 September 2003*) — Relating to the Government honouring its pre-election commitment and policy not to introduce tolls on the Mitcham-Frankston Freeway — To be considered (*Mr Wells*).
- 24 **DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Kew (*16 September 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr McIntosh*).
- 25 **\*DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Sandringham (*16 September, 8 October and 27 November 2003*) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Thompson*).
- 26 **SAFETY — INTERSECTION OF BAY AND BLUFF ROADS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*16 September 2003*) — Relating to taking measures to improve safety of all road users and to protect adjacent properties at the intersection of Bay and Bluff Roads, Sandringham — To be considered (*Mr Thompson*).
- 27 **AUDITOR-GENERAL'S REPORT — PARLIAMENT'S INFORMATION TECHNOLOGY UPGRADE** — To be considered (*Mr Perton*).
- 28 **SENIOR CARD HOLDERS** — Petition presented by the Member for Sandringham (*17 September 2003*) — Relating to bringing concessions available to Senior Card holders in line with concessions available with other States — To be considered (*Mr Thompson*).
- 29 **MONASH BIRTH CENTRE** — Petition presented by the Member for Sandringham (*17 and 18 September 2003*) — Relating to ensuring that the Monash Birth Centre remains at the Moorabbin Campus — To be considered (*Mr Thompson*).
- 30 **PUBLIC HOUSING TENANTS — RENTAL PAYMENT** — Petition presented by the Member for Lowan (*17 September 2003*) — Relating to reversing the decision to increase rental payments for many public housing tenants — To be considered (*Mr Maughan*).
- 31 **PETER ROSS-EDWARDS CAUSEWAY BETWEEN SHEPPARTON AND MOOROOPNA** — Petition presented by the Member for Shepparton (*18 September, 16 October and 26 November 2003*) — Relating to enhancing road safety and improved traffic flow on the Peter Ross-Edwards Causeway between Shepparton and Mooroopna — To be considered (*Mrs Powell*).

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- 32 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*18 September 2003*) — Relating to deferring the finalisation of the Melbourne 2030 Urban Growth Boundary until certain properties in the Shire of Nillumbik are included within its border — To be considered (*Mrs Powell*).
- 33 **PUBLIC TRANSPORT SERVICES IN GREENVALE AND SUBURBS**— Petition presented by the Member for Yuroke (*18 September 2003*) — Relating to improved public transport services be provided in Greenvale and surrounding suburbs — To be considered (*Ms Beattie*).
- 34 **METROPOLITAN AMBULANCE SERVICE** — Petition presented by the Member for Sandringham (*18 September 2003*) — Relating to the Metropolitan Ambulance Service in the Bayside area — To be considered (*Mr Thompson*).
- 35 **ASBESTOS RELATED DISEASE IN THE GIPPSLAND AREA** — Petition presented by the Member for Morwell (*18 September 2003*) — Relating to the high incidence of asbestos related disease in the Gippsland area — To be considered (*Mr Jenkins*).
- 36 **INTERSECTION OF MITCHELLS LANE AND HORNE STREET, SUNBURY** — Petition presented by the Member for Macedon (*18 September 2003*) — Requesting that a roundabout be constructed by VicRoads as an urgent priority, at the intersection of Mitchells Lane and Horne Street, Sunbury — To be considered (*Ms Duncan*).
- 37 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland East (*7 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ingram*).
- 38 **CHILD EMPLOYMENT ON VICTORIAN FARMS** — Petition presented by the Member for Kew (*7 October 2003*) — Relating to the Government acting to exempt families on farms, including extended families, from any requirement to obtain a child employment permit to employ family children on Victorian farms — To be considered (*Mr McIntosh*).
- 39 **NORTH ROAD, CLAYTON AND OAKLEIGH EAST** — Petition presented by the Member for Clayton (*7 and 8 October 2003*) — Requesting that a service lane be constructed on the north and south sides of North Road, Clayton and Oakleigh East — To be considered (*Mr Lim*).
- 40 **BOX HILL INSTITUTE OF TAFE SITE, DONCASTER EAST** — Petition presented by the Member for Bulleen (*8 October 2003*) — Relating to opposing the proposed redevelopment of the former Box Hill Institute of TAFE site in Deep Creek Road, Doncaster East — To be considered (*Mr Kotsiras*).
- 41 **DUTSON DOWNS, GIPPSLAND** — Petition presented by the Member for Gippsland South (*15 October 2003*) — Relating to the rejection of any proposal for the establishment of a soil recycling facility and/or a toxic waste dump at Dutson Downs in Gippsland — To be considered (*Mr Ryan*).
- 42 **AQUATIC CENTRE FOR FRANKSTON** — Petition presented by the Member for Frankston (*15 October 2003*) — Requesting the building of an aquatic centre in Frankston — To be considered (*Mr Harkness*).

- 43 **HOUSING RENTAL REBATE POLICY** — Petition presented by the Member for Mildura (16 October 2003) — Relating to amending the rental rebate policy so that all public housing tenants will pay the rebate rent at the rate of 23 per cent of total household income — To be considered (*Mr Savage*).
- 44 **CUTS TO COMMUNITY SERVICES** — Petition presented by the Member for Mildura (16 October 2003) — Relating to exempting community services such as family support, children's services, services to people with disabilities, alcohol and drug counselling services and housing support, from planned cuts — To be considered (*Mr Savage*).
- 45 **FUNDING FOR STUDENTS ON DISABILITY AND IMPAIRMENTS PROGRAM** — Petition presented by the Member for Forest Hill (16 October 2003) — Relating to maintaining the current level of funding to each student on the Disability and Impairments Program — To be considered (*Mr Perton*).
- 46 **VICTORIAN SCHOOL OF LANGUAGES AT FOUNTAIN GATE** — Petition presented by the Member for Cranbourne (28 October 2003) — Requesting that the Victorian School of Languages at Fountain Gate not be relocated at Lyndale Secondary College, North Dandenong — To be considered (*Mr Perton*).
- 47 **'THE GAP' CAMPING GROUND AT WARATAH BAY** — Petition presented by the Member for Gippsland South (29 October 2003) — Relating to retaining 'The Gap' camping ground at Waratah Bay — To be considered (*Mr Ryan*).
- 48 **\*KNOX CITY COUNCIL** — Petition presented by the Member for Bayswater (30 October, 20 and 27 November 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Lockwood*).
- 49 **KNOX CITY COUNCIL** — Petition presented by the Member for Burwood (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Stensholt*).
- 50 **KNOX CITY COUNCIL** — Petition presented by the Member for Evelyn (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms McTaggart*).
- 51 **KNOX CITY COUNCIL** — Petition presented by the Member for Ferntree Gully (30 October, 6 and 20 November 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Eckstein*).
- 52 **KNOX CITY COUNCIL** — Petition presented by the Member for Yan Yean (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Green*).
- 53 **KNOX CITY COUNCIL** — Petition presented by the Member for Kilsyth (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Ms Beard*).
- 54 **KNOX CITY COUNCIL** — Petition presented by the Member for Monbulk (30 October 2003) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered (*Mr Merlino*).

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- 55 **KYNETON-BENDIGO AND WATERGARDENS-BENDIGO RAIL TRACKS** — Petition presented by the Member for Ivanhoe (*5 November 2003*) — Relating to retaining the double rail track between Kyneton and Bendigo and ensuring that any sleepers ordered for the upgrading of the Watergardens to Bendigo rail line be capable of being gauge converted — To be considered (*Mr Mulder*).
- 56 **KNOX CITY COUNCIL** — Petition presented by the Member for Scoresby (*18 and 26 November 2003*) — Requesting that the House sacks the Knox City Council and institutes fresh elections as soon as possible — To be considered — (*Mr Wells*).
- 57 **MELBOURNE 2030 URBAN GROWTH BOUNDARY — INCLUSION OF PROPERTIES** — Petition presented by the Member for Shepparton (*20 November 2003*) — Requesting that the House does not ratify Amendment No C27 to the Nillumbik Planning Scheme until its impact on stakeholders is fully investigated — To be considered — (*Mrs Powell*).
- 58 **WORKCOVER FUNDING — GOVERNMENT SCHOOL BUDGETS 2004** — Petition presented by the Member for Ivanhoe (*26 November 2003*) — Requesting that the House intercedes with the Minister for Education Services and the Minister for WorkCover to withdraw the unfair and arbitrary arrangements for the funding of WorkCover that have been put in place in government school budgets for 2004 — To be considered — (*Mr Perton*).
- 59 **ERADICATION OF FOXES, BAYSIDE AND MELBOURNE METROPOLITAN AREAS** — Petition presented by the Member for Sandringham (*26 November 2003*) — Requesting that the Government instigates immediate action to control and, if necessary, eradicate foxes from the Bayside area and across the Melbourne metropolitan area — To be considered (*Mr Thompson*).
- 60 **FUNDING CUTS TO SCHOOL SPORTING BODIES** — Petition presented by the Member for Sandringham (*26 November 2003*) — Requesting that the Government abandons the changes under the proposed funding cuts to school sporting bodies and injects needed funds into school sport in order to keep Victorian school children healthy and active through involvement in sport — To be considered — (*Mr Thompson*).
- 61 **BEACH RENOURISHMENT WORKS, SANDRINGHAM** — Petition presented by the Member for Sandringham (*26 November 2003*) — Requesting that the Government provides funds for beach renourishment works to preserve and protect one of the great beach and scenic areas of Melbourne — To be considered (*Mr Thompson*).
- 62 **POSSUMS, CITY OF BAYSIDE** — Petition presented by the Member for Sandringham (*26 November 2003*) — Requesting that the Government instigates immediate action to address the concerns of residents in relation to the large possum population in the City of Bayside — To be considered — (*Mr Thompson*).
- 63 **\*VTV4 NEWS — SBS** — Petition presented by the Member for Sandringham (*26 and 27 November 2003*) — Requesting that the Government takes immediate steps to redress the concerns of the Victorian Vietnamese Community regarding the inaccurate and unbalanced reporting and news coverage on SBS in its broadcast of VTV4 news — To be considered (*Mr Thompson*).
- 64 **\*SHOP TRADING HOURS** — Petition presented by the Member for Sandringham (*27 November 2003*) — Relating to rejecting any legislation to extend trading on Christmas Day, Good Friday, Easter Sunday and ANZAC Day — To be considered (*Mr Thompson*).

- 65 **\*MULTI PURPOSE TAXI PROGRAM** — Petition presented by the Member for Shepparton (27 November 2003) — Requesting that the House does not introduce a financial cap to the multi purpose taxi program and that any proposed legislation be delayed until such time as full and proper consultation has been held with stakeholders — To be considered (*Mrs Powell*).
- 66 **\*MULTI PURPOSE TAXI PROGRAM** — Petition presented by the Member for Lowan (27 November 2003) — Requesting that the House does not introduce a financial cap to the multi purpose taxi program and that any proposed legislation be delayed until such time as full and proper consultation has been held with stakeholders — To be considered (*Mr Delahunty, (Lowan)*).

## BUSINESS LISTED FOR FUTURE DAYS

### THURSDAY 4 DECEMBER 2003

#### GOVERNMENT BUSINESS

#### ORDER OF THE DAY

- 1 **GAS INDUSTRY (RESIDUAL PROVISIONS) (AMENDMENT) BILL** — Second reading — *Resumption of debate (Dr Napthine)*.

### THURSDAY 11 DECEMBER 2003

#### GOVERNMENT BUSINESS

#### ORDERS OF THE DAY

- 1 **NURSES (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mrs Shardey)*.
- 2 **PUBLIC PROSECUTIONS (AMENDMENT) BILL** — Second reading — *Resumption of debate (Mr McIntosh)*.

R W PURDEY  
*Clerk of the Legislative Assembly*

JUDY MADDIGAN  
*Speaker*

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## CHAIR OF COMMITTEES AND TEMPORARY CHAIRS

**CHAIR OF COMMITTEES** — Mr Loney.

**TEMPORARY CHAIRS** — Ms Barker, Ms Campbell, Mr Delahunty (*Lowan*), Mr Ingram, Mr Jasper, Mr Kotsiras, Ms Lindell, Mr Nardella, Mr Plowman, Mr Savage, Mr Seitz, Mr Smith, Mr Thompson.

### COMMITTEES

**DRUGS AND CRIME PREVENTION (JOINT)** — Mr Cooper, Ms Marshall, Mr Maxfield, Mr Sykes and Mr Wells.

**ECONOMIC DEVELOPMENT (JOINT)** — Mr Delahunty (*Lowan*), Mr Jenkins, Ms Morand and Mr Robinson.

**EDUCATION AND TRAINING (JOINT)** — Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

**ENVIRONMENT AND NATURAL RESOURCES (JOINT)** — Ms Duncan, Ms Lindell and Mr Seitz.

**FAMILY AND COMMUNITY DEVELOPMENT (JOINT)** — Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

**HOUSE (JOINT)** — Speaker (*ex-officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

**LAW REFORM (JOINT)** — Ms Beard, Mr Hudson, Mr Lupton and Mr Maughan.

**LIBRARY (JOINT)** — Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

**OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)** — Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

**PRIVILEGES** — Mr Cooper, Mr Herbert, Mr Honeywood, Ms Lindell, Mr Lupton, Mr Maughan, Mr Nardella, Mr Perton and Mr Stensholt.

**PUBLIC ACCOUNTS AND ESTIMATES (JOINT)** — Ms Campbell, Mr Clark, Mr Donnellan, Ms Green and Mr Merlino.

**ROAD SAFETY (JOINT)** — Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

**RURAL AND REGIONAL SERVICES AND DEVELOPMENT (JOINT)** — Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

**SCRUTINY OF ACTS AND REGULATIONS (JOINT)** — Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

**STANDING ORDERS** — Speaker, Ms Campbell, Mr Dixon, Mr Helper, Mr Loney, Mr Perton and Mrs Powell.

## SESSIONAL ORDERS

### SUMMARY OF RESOLUTION ADOPTED BY THE HOUSE ON 26 FEBRUARY 2003 AND AMENDED ON 16 SEPTEMBER AND 28 OCTOBER 2003

#### DAY AND HOUR OF MEETING — *Sessional Order 1*

Tuesday — 2.00 pm

Wednesday, Thursday — 9.30 am

#### ORDER OF BUSINESS — *Sessional Order 2*

Motions of want of confidence and matters concerning the privileges of the House will take precedence. Subject to those, the order of business is:

##### **Tuesdays**

Question time

Formal business

Statements by members (30 minutes)

Government business

General business

##### **Wednesdays**

Formal business

Statements by members (30 minutes)

Matters of public importance (2 hours) or grievance debate (2 hours/8 speakers)

Statements on parliamentary committee reports (30 minutes/6 speakers)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

##### **Thursdays and Fridays**

Formal business

Statements by members (30 minutes)

Government business

Question time (at 2.00 pm)

Government business *continued*

General business

#### QUESTION TIME — *Sessional Order 3*

2.00 pm each day (other than on a Tuesday when condolences take precedence).

Any debate in progress at 2.00 pm will be interrupted.

Any division, or division on a closure motion requiring a question to be brought to a conclusion, will be concluded.

Question time lasts for 30 minutes or until 10 questions have been answered, whichever is the longer.

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**GRIEVANCES** — *Sessional Order 4*

On the first sitting Wednesday of each Autumn and Spring sitting period and every subsequent third sitting Wednesday.

The time limit for each member is 15 minutes, subject to the total time available. The whole debate lasts for a maximum of two hours or until eight members have spoken, whichever is the shorter.

**ADJOURNMENT OF HOUSE** — *Sessional Order 5*

At 10.00 pm each sitting day, provided that:

- (a) any division then in progress will be completed; and
- (b) any minister may move ‘That the sitting be continued’.

**ADJOURNMENT DEBATE** — *Sessional Order 5*

The time available for raising matters is 30 minutes, or until 10 members have spoken, whichever is the shorter. The time limit for each member is three minutes, subject to the total time available.

The total overall time period for ministers to respond is 30 minutes.

**GOVERNMENT BUSINESS PROGRAMMING COMMITTEE** — *Sessional Order 6*

A government business programming committee may meet to determine the manner in which the House is to deal with government business of the week.

**RIGHT OF REPLY** — *Sessional Order 7*

A person who claims to have been adversely affected in reputation by comments made about them in the House may make a written submission to the Speaker seeking a right of reply. The Speaker may refer the matter to the Privileges Committee.

**STATEMENTS BY MEMBERS** — *Sessional Order 8*

Statements may be made by members on any topic of concern. The time limit for each member is 90 seconds, subject to the total time available. The total debate lasts for a maximum of 30 minutes.

**MATTERS OF PUBLIC IMPORTANCE** — *Sessional Order 9*

Discussion each sitting Wednesday, except for grievance days, is on a matter of definite public importance and is not to exceed two hours. The lead speaker for the Government and the Opposition are limited to 15 minutes each; all other members are limited to 10 minutes each.

**DISORDERLY CONDUCT OF MEMBERS** — *Sessional Order 10*

The Speaker or Deputy Speaker may order a member to withdraw from the House for up to one and a half hours if they consider the member's conduct to be disorderly. Such suspension does not prevent a member from returning to vote in a division.

**TIME LIMIT OF SPEECHES** — *Sessional Order 11*

Detailed time limits are set for different types of debates. The most common time limits applicable are:

**Government bills (excluding appropriation bills) — second reading**

|  |             |
|--|-------------|
| Mover.....                                     | unlimited   |
| Lead speaker in response from opposition.....  | 30 minutes* |
| Lead speaker in response from third party..... | 20 minutes* |
| Any other member .....                         | 10 minutes  |

\*Plus, where the minister speaks for more than 30 minutes, an additional time equivalent to the minister's time in excess of 30 minutes.

**Motions other than procedural motions**

|  |            |
|--|------------|
| Mover.....   | 30 minutes |
| Lead speakers in response from government and/or opposition, each..... | 30 minutes |
| Lead speaker in response from third party.....                         | 20 minutes |
| Any other member .....   | 10 minutes |

**CIRCULATION OF AMENDMENTS TO BILLS** — *Sessional Order 15*

Amendments may be circulated during the second reading debate.

**INTRODUCTION AND FIRST READING OF BILLS** — *Sessional Order 16*

A minister may introduce a bill without having given notice on a previous sitting day.

**STATEMENTS ON PARLIAMENTARY REPORTS** — *Sessional Order 17*

Statements may be made on a Wednesday about any parliamentary committee reports tabled during the Parliament, other than some specific reports tabled by the Scrutiny of Acts and Regulations Committee.

The time limit for each member is five minutes, subject to the total time available. The whole debate lasts for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

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**MINISTERIAL STATEMENTS** — *Sessional Order 18*

A minister must give not less than two hours notice and, after discussion with the leaders of the opposition and third party, determine the number of speakers.

The time limit for the minister and the lead speaker for the opposition is 20 minutes. Subject to total number of speakers determined by the minister, other members may each speak for a maximum of 10 minutes.

**DIVISIONS** — *Sessional Order 19*

*[Procedure applies for the remainder of 2003]*

Unless a conscience vote takes place, divisions will be on the basis of a party vote:

- (a) Members must remain in their places.
- (b) Only the votes of members present in the Chamber may be counted and every member present must vote.
- (c) Party whips cast votes on behalf of their parties.
- (d) Any independent member and members not voting with their party may cast a vote.
- (e) The votes cast by any party may be challenged and the Chair can require a personal vote.