

VICTORIA

**VOTES AND PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY**

SESSION 2010–14

VOLUME 3

CONTENTS

VOLUME 3

	Page
Votes and Proceedings (2013–October 2014)	519–1000
Messages received after the Adjournment of the House	1001
Government Gazette — Proclamation — Issue of Writs	1002
Committees	1003
Minutes of Proceedings of Joint Sittings	
29 June 2011 — Victorian Health Promotion Foundation	1008
28 March 2012 — Victorian Responsible Gambling Foundation	1010
8 May 2013 — Legislative Council Vacancy	1013
21 August 2013 — Legislative Council Vacancy and Senate Vacancy	1017
5 February 2014 — Legislative Council Vacancy	1022
26 March 2014 — Legislative Council Vacancy	1026
11 June 2014 — Legislative Council Vacancy and Victorian Responsible Gambling Foundation	1030

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 113, 114 and 115

No 113 — Tuesday 5 February 2013

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

2 **QUESTIONS** — (Under SO 55).

3 **CO-OPERATIVES NATIONAL LAW APPLICATION BILL 2013** — Mr O'Brien obtained leave to bring in a Bill '*for an Act to provide for the application of a national law relating to the formation, registration and operation of co-operatives, to repeal the **Co-operatives Act 1996** and to make related amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

4 **EDUCATION AND TRAINING REFORM AMENDMENT (TEACHER REGISTRATION AND OTHER MATTERS) BILL 2013** — Mr Dixon obtained leave to bring in a Bill '*for an Act to amend the **Education and Training Reform Act 2006** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **JUSTICE LEGISLATION AMENDMENT (CANCELLATION OF PAROLE AND OTHER MATTERS) BILL 2013** — Mr McIntosh obtained leave to bring in a Bill '*for an Act to amend the **Corrections Act 1986** in relation to the cancellation of parole and the powers of the Adult Parole Board in relation to electronic monitoring of prisoners released on parole, to amend the **Children, Youth and Families Act 2005** in relation to the legal representation of children before the Family Division of the Children's Court and to amend the **Surveillance Devices Act 1999** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

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

MFB and CFA Funding Cuts — Requesting that the Legislative Assembly urges the Baillieu Government to abandon its planned funding cuts and guarantee no further cuts to the Metropolitan Fire Brigade and Country Fire Authority will be made, bearing 636 signatures (*Mr Howard*)

Regional Rail Link — Requesting that the Legislative Assembly urges the Government to immediately commit to completing the Regional Rail Link Project, and to purchasing new trains and carriages for regional commuters, bearing 22 signatures (*Mr Howard*)

AEU Bans — Requesting that the Legislative Assembly urges the Government to come to a mutual resolution with the AEU, for the benefit of the students in Bentleigh and Victoria, bearing 39 signatures (*Ms Miller*)

V/Line Bus Services to Melbourne and Yarram — Requesting that the Legislative Assembly urges the Government to amend the Monday to Friday from Melbourne to Yarram and return bus schedule, to include stops at Loch and Nyora, bearing 739 signatures (*Mr Ryan*)

Review of the Abortion Reform Law Act 2008 — Requesting that the Legislative Assembly reviews the *Abortion Law Reform Act 2008*, bearing 5669 signatures (*Mr Hodgett*).

Petitions ordered to be tabled.

- 7 **PETITION — MFB AND CFA FUNDING CUTS** — Motion made and question — That the petition presented by the Member for Ballarat East be taken into consideration tomorrow (*Mr Howard*) — put and agreed to.
- 8 **PETITION — REGIONAL RAIL LINK** — Motion made and question — That the petition presented by the Member for Ballarat East be taken into consideration tomorrow (*Mr Howard*) — put and agreed to.
- 9 **PETITION — REVIEW OF THE ABORTION REFORM LAW ACT 2008** — Motion made and question — That the petition presented by the Member for Kilsyth be taken into consideration tomorrow (*Mr Hodggett*) — put and agreed to.

10 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 1 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Assisted Reproductive Treatment Amendment Bill 2012
 Corrections Amendment Bill 2012
 Courts Legislation Amendment (Reserve Judicial Officers) Bill 2012
 Crimes Amendment (Gross Violence Offences) Bill 2012
 Energy Legislation Amendment (Flexible Pricing and Other Matters) Bill 2012
 Jury Directions Bill 2012
 Statute Law Amendment (Directors' Liability) Bill 2012

together with appendices.

Ordered to be tabled and printed.

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

Border Groundwaters Agreement Review Committee — Report 2011–12

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Yinnar Bicentennial Park Reserve
 Order under s 17D granting a lease over Richmond Park Reserve

Financial Management Act 1994 — Budget Update 2012–13

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 113/2012 (*Gazette G43, 25 October 2012*), 132/2012 (*Gazette G50, 13 December 2012*) and 137/2012 (*Gazette G49, 6 December 2012*)

Major Sporting Events Act 2009 — Major sporting event order under s 22

National Parks Act 1975 — Notice of consent under s 40

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

Ararat — C19
 Bass Coast — C126
 Baw Baw — C83
 Boroondara — C180

Brimbank — C133
 Cardinia — C97, C169, C170, C180
 Colac Otway — C65 Part 1, C68
 Frankston — C46 Part 2, C83
 Glen Eira — C87
 Greater Bendigo — C169
 Greater Dandenong — C132, C167
 Greater Geelong — C258
 Greater Shepparton — C159
 Hepburn — C38
 Hume — C134
 Knox — C122
 Manningham — C78
 Maribyrnong — C111
 Melbourne — C169
 Melton — C110, C136
 Moira — C69
 Moonee Valley — C102, C127
 Mount Alexander — C80
 Port Phillip — C98
 Pyrenees — C34
 Strathbogie — C66
 Surf Coast — C71 Part 3
 Swan Hill — C40
 Victoria Planning Provisions — VC93
 Wellington — C75
 Whitehorse — C135, C147
 Whittlesea — C133
 Yarra Ranges — C123

Professional Standards Act 2003:

College of Investigative and Remedial Consulting Engineers Australia Professional Standards Scheme under s 14 (*Gazette S454, 21 December 2012*)
 Instrument Amending the Engineers Australia Victoria Scheme under s 14 (*Gazette S454, 21 December 2012*)

Statutory Rules under the following Acts:

Accident Towing Services Act 2007 — SR 163/2012
Adoption Act 1984 — SR 151/2012
Bail Act 1977 — SR 148/2012
Civil Procedure Act 2010 — SR 166/2012
County Court Act 1958 — SRs 146, 166, 167/2012
Electricity Safety Act 1998 — SR 152/2012
Evidence Act 2008 — SR 149/2012
Infringements Act 2006 — SR 150/2012
Magistrates' Court Act 1989 — SRs 158, 159/2012
Offshore Petroleum and Greenhouse Gas Storage Act 2010 — SR 160/2012
Road Safety Act 1986 — SRs 155, 156, 157, 162/2012
Subordinate Legislation Act 1994 — SRs 153, 154, 164, 165/2012
Supreme Court Act 1986 — SR 145/2012
Victorian Civil and Administrative Tribunal Act 1998 — SR 147/2012
Whistleblowers Protection Act 2001 — SR 144/2012
Wildlife Act 1975 — SR 161/2012

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 128, 135, 136, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167/2012

Documents under s 16B in relation to:

Education and Training Reform Act 2006:

Direction to boards of adult education institutions on executive remuneration and classification

Direction to boards of TAFE institutes on executive remuneration and classification

Ministerial Orders 615, 632

Order fixing Victorian Curriculum and Assessment Authority fees

Local Government Act 1989 — Designation of tow away area in the Chapel Street precinct

Racing Act 1958:

Greyhound Racing Victoria Club Bookmakers' Licence Levy Rules

Harness Racing Victoria — Adoption of amendments to national rules of harness racing

Water Act 1989 — By-law No 9 Recreational Areas — Gippsland and Southern Rural Water Corporation.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Civil Procedure Amendment Act 2012 — Whole Act (except Part 4) — 24 December 2012; Part 4 — 31 March 2013 (*Gazette S429, 11 December 2012*)

Commission for Children and Young People Act 2012 — Whole Act — 1 March 2013 (*Gazette S27, 29 January 2013*)

Drugs, Poisons and Controlled Substances Amendment Act 2012 — Remaining provisions — 13 December 2012 (*Gazette S429, 11 December 2012*)

Justice Legislation Amendment (Family Violence and Other Matters) Act 2012 — Parts 1, 3, 4, 5 and 7 — 20 December 2012 (*Gazette S444, 19 December 2012*); Part 2 (except ss 5 to 12 and 31) — 4 February 2013 (*Gazette S27, 29 January 2013*)

Mineral Resources (Sustainable Development) Amendment Act 2012 — Whole Act — 1 February 2013 (*Gazette S27, 29 January 2013*)

Residential Tenancies and Other Consumer Acts Amendment Act 2012 — Divisions 2 and 3 of Part 2 — 1 February 2013; remaining provisions of Division 2 of Part 3 (other than s 21) — 31 March 2013 (*Gazette S444, 19 December 2012*)

Transport Legislation Amendment (Public Transport Development Authority) Act 2011 — Sections 27 and 29 — 1 January 2013 (*Gazette S444, 19 December 2012*).

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

Climate Change and Environment Protection Amendment Bill 2012

Criminal Organisations Control Bill 2012

Tobacco Amendment (Shopper Loyalty Schemes) Bill 2012.

12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 18 December 2012, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Climate Change and Environment Protection Amendment Bill 2012

Commission for Children and Young People Bill 2012

Criminal Organisations Control Bill 2012

Fire Services Levy Monitor Bill 2012

Integrity and Accountability Legislation Amendment Bill 2012

Justice Legislation Amendment (Family Violence and Other Matters) Bill 2012

Mineral Resources (Sustainable Development) Amendment Bill 2012

Protected Disclosure Bill 2012

Tobacco Amendment (Shopper Loyalty Schemes) Bill 2012.

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

Assisted Reproductive Treatment Amendment Bill 2012
 Courts Legislation Amendment (Reserve Judicial Officers) Bill 2012.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 7 February 2013:

Corrections Amendment Bill 2012
 Courts Legislation Amendment (Reserve Judicial Officers) Bill 2012
 Crimes Amendment (Gross Violence Offences) Bill 2012
 Electronic Conveyancing (Adoption of National Law) Bill 2012
 Health Services Amendment (Health Purchasing Victoria) Bill 2012

(*Mr McIntosh*) — after debate, put.

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Holding; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

- 15 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 16 **CORRECTIONS AMENDMENT BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Retirement Villages Amendment (Information Disclosure) Bill 2012 without amendment.
- 18 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 and 3, be postponed until later this day.
- 19 **CRIMES AMENDMENT (GROSS VIOLENCE OFFENCES) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 10.57 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 114 — Wednesday 6 February 2013

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

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

MFB and CFA Funding Cuts — Requesting that the Legislative Assembly urges the Baillieu Government to abandon its planned funding cuts and guarantee no further cuts to the Metropolitan Fire Brigade and Country Fire Authority will be made, bearing 258 and 202 signatures (*Mr Howard and Ms Knight respectively*)

Moriac Primary School — Requesting that the Legislative Assembly urges the Government to provide necessary funding from the budget to allow the rebuilding of Moriac Primary School to occur immediately, bearing 249 signatures (*Mr Katos*).

Petitions ordered to be tabled.

- 3 **PETITION — MFB AND CFA FUNDING CUTS** — Motion made and question — That the petition presented by the Member for Ballarat East be taken into consideration tomorrow (*Mr Howard*) — put and agreed to.

- 4 **PETITION — MFB AND CFA FUNDING CUTS** — Motion made and question — That the petition presented by the Member for Ballarat West be taken into consideration tomorrow (*Ms Knight*) — put and agreed to.

- 5 **PETITION — MORIAC PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

- 6 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document in accordance with an Act of Parliament:

Auditor-General — Addressing Homelessness: Partnerships and Plans — Ordered to be printed.

- 7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Liquor Control Reform Amendment Bill 2012 without amendment.

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

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

- 10 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the Inquiry into Effective Decision Making for the Successful Delivery of Significant Infrastructure Projects

Public Accounts and Estimates Committee's Report on the 2011–12 Budget Estimates — Part One

Public Accounts and Estimates Committee's Report on the 2011–12 Budget Estimates — Part Three

Environment and Natural Resources Committee's Report on the Inquiry into the establishment and effectiveness of Registered Aboriginal Parties

Public Accounts and Estimates Committee's Report on the 2012–13 Budget Estimates — Part Two

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry into Liveability Options in Outer Suburban Melbourne.

- 11 **COURTS LEGISLATION AMENDMENT (RESERVE JUDICIAL OFFICERS) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 12 **QUESTIONS** — (Under SO 55).

- 13 **COURTS LEGISLATION AMENDMENT (RESERVE JUDICIAL OFFICERS) BILL 2012** — Debate continued on question — That this Bill be now read a second time.

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

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

- 14 **ELECTRONIC CONVEYANCING (ADOPTION OF NATIONAL LAW) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 15 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 3 to 5 inclusive, be postponed until later this day.

- 16 **JUSTICE LEGISLATION AMENDMENT (CANCELLATION OF PAROLE AND OTHER MATTERS) BILL 2013** — *Mr McIntosh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 20 February 2013.

- 17 **ELECTRONIC CONVEYANCING (ADOPTION OF NATIONAL LAW) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 18 **HEALTH SERVICES AMENDMENT (HEALTH PURCHASING VICTORIA) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.56 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 115 — Thursday 7 February 2013

- 1 The Speaker took the Chair and read the Prayer.
- 2 **ANNIVERSARY OF 2009 VICTORIAN BUSHFIRES** — The Speaker reflected on the fourth anniversary of the 2009 Victorian bushfires, and asked members to pause and think about the communities which were impacted by the fires. Members stood in silence to show their support.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Taxi Licences — Requesting that the Legislative Assembly urges the Government to act decisively to reject any proposed unlimited release of taxi licences and calls on the Government to provide the industry with the fare increase it needs, bearing 989 signatures (*Ms Miller*)

Hawthorn West Primary School — Requesting that the Legislative Assembly urges the Government to call on the Boroondara City Council and others involved to cooperate and jointly prepare a detailed master plan for the land comprising Honour Avenue between Hawthorn West Primary School and the Anglican Church buildings, and for the plan to include — (a) the early, effective transfer of control of the land to the Department of Education and Early Childhood Development at minimum cost for education purposes; (b) maintenance of vehicle access to the rear of Church buildings; (c) appropriate acknowledgment of the original memorial purpose; and (d) maintenance of public access outside school hours, bearing 132 signatures (*Mr Baillieu*)

Elsa Corp Parole Reforms — Requesting that the Legislative Assembly urges the Government to — (a) implement immediate mandatory remand once a parolee has been charged with an indictable offence involving violence, sexual offending or carrying/use of a weapon; (b) provide for mandatory revocation of all parole when a parolee has been charged with an indictable offence of an equal or more serious nature; (c) once a parolee is convicted of an indictable offence, ensure there is mandatory revocation of all parole; and (d) provide for representation at parole or review hearings by a police officer who has knowledge of the circumstances of the new offence, bearing 770 signatures (*Mr Hodggett*)

Springvale Road to Boronia Road Land Reserve — Requesting that the Legislative Assembly urges the Government to maintain the reservation between Springvale Road, Vermont South and Boronia Road, Vermont, as open space for the use of the community, and protect the endangered vegetation on the site, bearing 76 signatures (*Mr Donnellan*).

Petitions ordered to be tabled.

- 4 **PETITION — SPRINGVALE ROAD TO BORONIA ROAD LAND RESERVE** — Motion made and question — That the petition presented by the Member for Narre Warren North be taken into consideration tomorrow (*Mr Donnellan*) — put and agreed to.
- 5 **PETITION — ELSA CORP PAROLE REFORMS** — Motion made and question — That the petition presented by the Member for Kilsyth be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.
- 6 **PETITION — TAXI LICENCES** — Motion made and question — That the petition presented by the Member for Bentleigh be taken into consideration tomorrow (*Ms Miller*) — put and agreed to.
- 7 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following documents in accordance with an Act of Parliament:

Statutory Rules under the following Acts:

Land Conservation (Vehicle Control) Act 1972 — SR 3

Members of Parliament (Register of Interests) Act 1978 — SR 4

Sex Work Act 1994 — SR 2

Supreme Court Act 1986 — SR 1

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 1, 2, 3.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Independent Broad-based Anti-corruption Commission Amendment (Examinations) Act 2012 — Remaining provisions — 10 February 2013 (*Gazette S32, 6 February 2013*)

Independent Broad-based Anti-corruption Commission Amendment (Investigative Functions) Act 2012 — Whole Act — 10 February 2013 (*Gazette S32, 6 February 2013*)

Victorian Inspectorate Amendment Act 2012 — Whole Act — 10 February 2013 (*Gazette S32, 6 February 2013*).

- 8 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 19 February 2013 (*Mr McIntosh*) — put and agreed to.
- 9 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 10 **CORRECTIONS AMENDMENT BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 11 **JOINT INVESTIGATORY COMMITTEES** — Motion made, by leave, and question — That:
- (1) Ms Hennessy, Mr Newton-Brown and Mr Weller be members of the **Independent Broad-based Anti-corruption Commission Committee**.
- (2) Ms Kanis, Ms Richardson and Mr Wakeling be members of the **Accountability and Oversight Committee** —

(*Mr McIntosh*) — put and agreed to.

- 12 **CORRECTIONS AMENDMENT BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 13 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 and 3, be postponed until later this day.
- 14 **CRIMES AMENDMENT (GROSS VIOLENCE OFFENCES) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Miller*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 15 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 5 and 6, be postponed until later this day.
- 16 **CO-OPERATIVES NATIONAL LAW APPLICATION BILL 2013** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr O'Brien*).
- Motion made and question — That the debate be now adjourned (*Mr Herbert*) — put and agreed to.
- Ordered — That the debate be adjourned until Thursday 21 February 2013.
- 17 **EDUCATION AND TRAINING REFORM AMENDMENT (TEACHER REGISTRATION AND OTHER MATTERS) BILL 2013** — *Mr Dixon tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Dixon*).
- Motion made and question — That the debate be now adjourned (*Mr Herbert*) — put and agreed to.
- Ordered — That the debate be adjourned until Thursday 21 February 2013.
- 18 **CRIMES AMENDMENT (GROSS VIOLENCE OFFENCES) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 2.00 pm under standing orders.*
- 19 **QUESTIONS** — (Under SO 55).
- 20 **CRIMES AMENDMENT (GROSS VIOLENCE OFFENCES) BILL 2012** — Resumption of debate on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Mr McIntosh*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 21 **ELECTRONIC CONVEYANCING (ADOPTION OF NATIONAL LAW) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 22 **COURTS LEGISLATION AMENDMENT (RESERVE JUDICIAL OFFICERS) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — *The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 5 February 2013 had expired.*

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

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

Bill sent to the Legislative Council and their agreement requested.

- 23 **CRIMES AMENDMENT (GROSS VIOLENCE OFFENCES) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 24 **HEALTH SERVICES AMENDMENT (HEALTH PURCHASING VICTORIA) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 25 **CORRECTIONS AMENDMENT BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 26 **ELECTRONIC CONVEYANCING (ADOPTION OF NATIONAL LAW) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 27 **COURTS LEGISLATION AMENDMENT (RESERVE JUDICIAL OFFICERS) BILL 2012** — The Speaker announced that he had received a report from the Clerk that he has made the following corrections in the Bill:

In clause 48, line 19, he has deleted 'of'.

In clause 54, line 15, he has deleted 'of' and inserted 'for'.

The clauses will now properly refer to the sections of the *Children, Youth and Families Act 2005* that they are amending.

Business having been interrupted at 4.05 pm under sessional orders.

- 28 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.59 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 116, 117 and 118

No 116 — Tuesday 19 February 2013

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **RESIGNATION OF SEAT** — The Speaker announced that, on 18 February 2013, he had received the resignation of the Member for Lyndhurst.
- 3 **DEATH OF GEOFFREY PHILLIP CONNARD, AM** — The Speaker announced the death of Geoffrey Phillip Connard, AM, Member of the Legislative Council for the Electoral Province of Higinbotham from 1982 to 1996; and members rose in their places as a mark of respect to the memory of the deceased.
- 4 **DEATH OF FIREFIGHTERS** — By leave, members paid tribute to the two DSE firefighters, killed while fighting the Harrietville bushfires on 13 February 2013, and the firefighters who had previously died on 30 December 2012 and, in Tasmania, on 13 January 2013.

Members rose in their places as a mark of respect to the memory of the deceased.

- 5 **QUESTIONS** — (Under SO 55).
- 6 **COMPANY TITLES (HOME UNITS) BILL 2013** — Mr O'Brien obtained leave to bring in a Bill *'for an Act to confer additional jurisdiction on the Victorian Civil and Administrative Tribunal to hear and determine neighbourhood disputes affecting company title corporations and service companies for building subdivisions and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **MAJOR SPORTING EVENTS AMENDMENT BILL 2013** — Mr Delahunty obtained leave to bring in a Bill *'for an Act to amend the Major Sporting Events Act 2009 in relation to events and event venues, crowd management, aerial advertising and sports event ticketing and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **ALPINE RESORTS AND NATIONAL PARKS ACTS AMENDMENT BILL 2013** — Mr Smith (*Warrandyte*) obtained leave to bring in a Bill *'for an Act to provide for the excision of 2 parcels of land from the Alpine National Park, the incorporation of that land and other land into the Falls Creek Alpine Resort, the excision of a parcel of land from the Falls Creek Alpine Resort and the incorporation of that land into the Alpine National Park and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **DOCUMENTS**
PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Morris presented a report from the Public Accounts and Estimates Committee on the Appointment of the Auditor-General of Victoria, together with an appendix.

Ordered to be tabled and printed.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mid-Term Report, together with an appendix tabled by leave (*Mr Morris*).

Ordered to be printed.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 2 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Accident Compensation Legislation (Fair Protection for Firefighters) Bill 2011
 Co-operatives National Law Application Bill 2013
 Education and Training Reform Amendment (Teacher Registration and Other Matters) Bill 2013
 Justice Legislation Amendment (Cancellation of Parole and Other Matters) Bill 2013
 Statute Law Amendment (Directors' Liability) Bill 2012
 Tobacco Amendment (Smoking in Outdoor Areas) Bill 2012

together with appendices.

Ordered to be tabled and printed.

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

Australian Crime Commission — Report 2011–12

Parliamentary Committees Act 2003 — Government response to the Family and Community Development Committee's Report on the Inquiry into Opportunities for Participation of Victorian Seniors

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

Ballarat — C159
 Banyule — C82
 Bass Coast — C78 Part 2
 Brimbank — C121
 Casey — C136, C154, C160, C171
 Frankston — C76
 Greater Bendigo — C180
 Greater Dandenong — C115, C171
 Hume — C138
 Indigo — C58
 Moonee Valley — C122
 Moorabool — C64
 Moreland — C113
 Nillumbik — C78 Part 1
 Southern Grampians — C23
 Stonnington — C158
 Wyndham — C137
 Yarra Ranges — C130

State Services Authority — Report 2011–12 on the State of the Public Sector in Victoria

Statutory Rules under the following Acts:

Australian Consumer Law and Fair Trading Act 2012 — SR 14
Corrections Act 1986 — SR 15

Court Security Act 1980 — SR 13
Crimes (Assumed Identities) Act 2004 — SR 10
Crimes (Controlled Operations) Act 2004 — SR 11
Independent Broad-based Anti-corruption Commission Act 2011 — SR 5
Major Crime (Investigative Powers) Act 2004 — SR 12
Protected Disclosure Act 2012 — SR 7
Public Interest Monitor Act 2011 — SR 8
Surveillance Devices Act 1999 — SR 9
Victorian Inspectorate Act 2011 — SR 6

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rule 4

Documents under s 16B in relation to *Municipal Association Act 1907* — Order approving the Association Making the Municipal Association of Victoria Rules 2013.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Climate Change and Environment Protection Amendment Act 2012 — Whole Act — 13 February 2013 (*Gazette S44, 12 February 2013*).

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

Planning and Environment Amendment (General) Bill 2012
 Traditional Owner Settlement Amendment Bill 2012.

- 11 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 12 February 2013, given the royal assent to the following bills, presented to him by the Deputy Clerk of the Legislative Council for and in the absence of the Clerk of the Parliaments:

Liquor Control Reform Amendment Bill 2012
 Retirement Villages Amendment (Information Disclosure) Bill 2012.

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

Planning and Environment Amendment (General) Bill 2012
 Traditional Owner Settlement Amendment Bill 2012.

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

Co-operatives National Law Application Bill 2013
 Education and Training Reform Amendment (Teacher Registration and Other Matters) Bill 2013.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 21 February 2013:

Co-operatives National Law Application Bill 2013
 Energy Legislation Amendment (Flexible Pricing and Other Matters) Bill 2012
 Jury Directions Bill 2012

Justice Legislation Amendment (Cancellation of Parole and Other Matters) Bill 2013
 Statute Law Amendment (Directors' Liability) Bill 2012

(*Mr McIntosh*) — after debate, put.

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

AYES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

16 **STATUTE LAW AMENDMENT (DIRECTORS' LIABILITY) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

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

18 **JURY DIRECTIONS BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

19 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Electronic Conveyancing (Adoption of National Law) Bill 2012 without amendment.

20 **ENERGY LEGISLATION AMENDMENT (FLEXIBLE PRICING AND OTHER MATTERS) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.49 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 117 — Wednesday 20 February 2013

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — The Speaker announced that he had received the resignation of Mr Davis, MLC, from the Public Accounts and Estimates Committee, effective from 19 February 2013.
- 3 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Implementation of School Infrastructure Programs — Ordered to be printed
Rating Practices in Local Government — Ordered to be printed

Planning and Environment Act 1987 — Notice of approval of amendment VC81 to the Victoria Planning Provisions

Statutory Rules under the following Acts:

Climate Change Act 2010 — SR 20
Conservation, Forests and Lands Act 1987 — SR 19
Fisheries Act 1995 — SR 18
Victorian Civil and Administrative Tribunal Act 1998 — SRs 16, 17

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19.

- 4 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 5 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — EDUCATION SYSTEM CUTS** — The House was informed that Mr Andrews had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Baillieu government for its severe cuts to the Victorian education system, including cuts to VCAL, Reading Recovery, Education Maintenance Allowance, Conveyance Allowance, School Start bonus and TAFE, and for its failure to keep a key election promise to make Victorian teachers the highest paid in the country.'

Mr Andrews addressed the House — Discussion followed.

- 6 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Mid-Term Report

Public Accounts and Estimates Committee's Report on the Inquiry into Effective Decision Making for the Successful Delivery of Significant Infrastructure Projects

Education and Training Committee's Report on the Inquiry into Agricultural Education and Training in Victoria

Public Accounts and Estimates Committee's Report on the 2012–13 Budget Estimates — Part Two

Scrutiny of Acts and Regulations Committee's Annual Review 2011, Regulations 2011.

- 7 **JUSTICE LEGISLATION AMENDMENT (CANCELLATION OF PAROLE AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 8 **QUESTIONS** — (Under SO 55).

- 9 **JUSTICE LEGISLATION AMENDMENT (CANCELLATION OF PAROLE AND OTHER MATTERS) BILL 2013** — Debate resumed on question — That this Bill be now read a second time.

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

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

- 10 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 to 4 inclusive, be postponed until later this day.

- 11 **COMPANY TITLES (HOME UNITS) BILL 2013** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

Mr O'Brien made the statement of intention required by s 85(5)(c) of the Constitution Act 1975.

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

Ordered — That the debate be adjourned until Wednesday 6 March 2013.

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

- 13 **ALPINE RESORTS AND NATIONAL PARKS ACTS AMENDMENT BILL 2013** — *Mr Smith (Warrandyte) tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 6 March 2013.

- 14 **MAJOR SPORTING EVENTS AMENDMENT BILL 2013** — *Mr Delahunty tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 6 March 2013.

- 15 **ENERGY LEGISLATION AMENDMENT (FLEXIBLE PRICING AND OTHER MATTERS) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 16 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.59 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 118 — Thursday 21 February 2013

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

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

Funding for the VET and VCAL programs — Requesting that the Legislative Assembly urges the Baillieu Government to guarantee no further cuts to education funding will be made in the upcoming 2013–14 Victorian budget, bearing 274, 161, 410, 263, 164, 240, 228, 47, 293, 175, 147, 116, 237, 531 and 229 signatures (*Mr Howard, Ms Knight, Ms Garrett, Mr Brooks, Mr Madden, Ms Thomson, Footscray, Mr Trezise, Ms Kanis, Ms D'Ambrosio, Mr Merlino, Mr Andrews, Ms Grale, Mr Carroll, Ms Richardson and Ms Barker respectively*).

Petitions ordered to be tabled.

- 3 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Ms Garrett*) — put and agreed to.

- 4 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Oakleigh be taken into consideration tomorrow (*Ms Barker*) — put and agreed to.

- 5 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Footscray be taken into consideration tomorrow (*Ms Thomson, Footscray*) — put and agreed to.

- 6 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Essendon be taken into consideration tomorrow (*Ms Thomson, Footscray*) — put and agreed to.
- 7 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Narre Warren South be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.
- 8 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Monbulk be taken into consideration tomorrow (*Mr Merlino*) — put and agreed to.
- 9 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Melbourne be taken into consideration tomorrow (*Ms Kanis*) — put and agreed to.
- 10 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Niddrie be taken into consideration tomorrow (*Mr Carroll*) — put and agreed to.
- 11 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Mill Park be taken into consideration tomorrow (*Ms D'Ambrosio*) — put and agreed to.
- 12 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Northcote be taken into consideration tomorrow (*Ms Richardson*) — put and agreed to.
- 13 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Ballarat West be taken into consideration tomorrow (*Ms Knight*) — put and agreed to.
- 14 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.
- 15 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Falls Creek Alpine Resort Management Board — Report year ended 31 October 2012

Lake Mountain Alpine Resort Management Board — Report year ended 31 October 2012

Legal Profession Act 2004 — Practitioner Remuneration Order under s 3.4.24

Mount Baw Baw Alpine Resort Management Board — Report year ended 31 October 2012

Mount Buller and Mount Stirling Alpine Resort Management Board — Report year ended 31 October 2012

Mount Hotham Alpine Resort Management Board — Report year ended 31 October 2012.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Road Safety Amendment Act 2012 — Section 5 — 20 February 2013 (Gazette S54, 19 February 2013).

16 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 5 March 2013 (*Mr McIntosh*) — put and agreed to.

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

18 **CO-OPERATIVES NATIONAL LAW APPLICATION BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

19 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Health Services Amendment (Health Purchasing Victoria) Bill 2012 without amendment.

20 **JUSTICE LEGISLATION AMENDMENT (CANCELLATION OF PAROLE AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

21 **QUESTIONS** — (Under SO 55).

22 **JUSTICE LEGISLATION AMENDMENT (CANCELLATION OF PAROLE AND OTHER MATTERS) BILL 2013** — Debate resumed on question — That this Bill be now read a second time.

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

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

23 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Courts Legislation Amendment (Reserve Judicial Officers) Bill 2012 without amendment.

24 **ENERGY LEGISLATION AMENDMENT (FLEXIBLE PRICING AND OTHER MATTERS) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 19 February 2013 had expired.

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

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

Bill sent to the Legislative Council and their agreement requested.

25 **JURY DIRECTIONS BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 26 **STATUTE LAW AMENDMENT (DIRECTORS' LIABILITY) BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 27 **CO-OPERATIVES NATIONAL LAW APPLICATION BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 28 **JUSTICE LEGISLATION AMENDMENT (CANCELLATION OF PAROLE AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- Business having been interrupted at 4.01 pm under sessional orders.*
- 29 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.47 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 119, 120 and 121

No 119 — Tuesday 5 March 2013

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **ISSUE OF WRIT** — The Speaker announced that today he issued a writ for a by-election for the Electoral District of Lyndhurst to be held on 27 April 2013.
- 3 **QUESTIONS** — (Under SO 55).
- 4 **CRIMES AMENDMENT (INTEGRITY IN SPORTS) BILL 2013** — Mr Clark obtained leave to bring in a Bill *'for an Act to amend the **Crimes Act 1958** to insert new offences in relation to corrupting the betting outcomes of events or event contingencies on which it is lawful to place bets and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **PLANNING AND ENVIRONMENT AMENDMENT (GROWTH AREAS AUTHORITY AND MISCELLANEOUS) BILL 2013** — Mr Clark obtained leave to bring in a Bill *'for an Act to amend the **Planning and Environment Act 1987** to enable growth areas to be declared anywhere in Victoria, to expand the functions of the Growth Areas Authority and to make other amendments to improve the operation of that Act and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **ADOPTION AMENDMENT BILL 2013** — Ms Wooldridge obtained leave to bring in a Bill *'for an Act to amend the **Adoption Act 1984** and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - Funding for the Melbourne Jazz Co-operative 2013 Program** — Requesting that the Legislative Assembly urges the Baillieu Government to ensure that the level of funding for the Melbourne Jazz Co-operative 2013 Program has parity with New South Wales State funding to the Sydney Improvised Music Association (SIMA) for 2013, bearing 682 signatures (*Mr Foley*)
 - 'Code Assess' Process** — Requesting that the Legislative Assembly urges the Baillieu Government to withdraw the Code Assess Process that will remove community consultation from the development approval process, to consult with the community and to ensure that any proposal protects and improves rather than destroys our neighbourhoods, bearing 3 signatures (*Mr Brooks*)
 - Funding for the VET and VCAL Programs** — Requesting that the Legislative Assembly urges the Baillieu Government to guarantee no further cuts to education funding will be made in the upcoming 2013–14 budget, bearing 13 and 104 signatures (*Mr Brooks and Ms Graley respectively*).Petitions ordered to be tabled.
- 8 **PETITION — FUNDING FOR THE MELBOURNE JAZZ CO-OPERATIVE 2013 PROGRAM** — Motion made and question — That the petition presented by the Member for Albert Park be taken into consideration tomorrow (*Mr Foley*) — put and agreed to.

- 9 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Narre Warren South be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.
- 10 **PETITION — 'CODE ASSESS' PROCESS** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.
- 11 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.
- 12 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 3 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Alpine Resorts and National Parks Acts Amendment Bill 2013
 Company Titles (Home Units) Bill 2013
 Co-operatives National Law Application Bill 2013
 Major Sporting Events Amendment Bill 2013

together with appendices.

Ordered to be tabled and printed.

LAW REFORM COMMITTEE — Mr Newton-Brown, Chair, presented a report from the Law Reform Committee on the Inquiry into Access to and Interaction with the Justice System by People with an Intellectual Disability and their Families and Carers, together with appendices, an extract from the proceedings, a minority report and transcripts of evidence.

Ordered to be tabled and the report, appendices, extract from the proceedings and minority report printed.

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

Emergency Services Superannuation Scheme — Actuarial investigation as at 30 June 2012

Financial Management Act 1994 — Report from the Minister for Finance that he had received the Report 2011–12 of VicFleet Pty Ltd, together with an explanation for the delay

Freedom of Information Act 1982 — Statement of reasons for seeking leave to appeal under s 65AB

Planning and Environment Act 1987:

Amendment C176 to the Cardinia Planning Scheme

Notices of approval of amendments to the following Planning Schemes:

Bass Coast — C121
 Baw Baw — C98
 Bayside — C82
 Cardinia — C150
 Greater Geelong — C220, C250
 Hume — C177

Latrobe — C76
 Manningham — C54
 Maroondah — C82, C89
 Melbourne — C204
 Melton — C137
 Mount Alexander — C55
 Port of Melbourne — C1
 South Gippsland — C70
 Wellington — C73
 Whitehorse — C126, C142

Statutory Rules under the following Acts:

Audit Act 1994 — SR 21
Cancer Act 1958 — SR 22
Road Safety Act 1986 — SR 23

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 20, 21, 22, 23

Documents under s 16B in relation to:

Livestock Disease Control Act 1994 — Exemption Order

Racing Act 1958 — Greyhound Racing Victoria Rules incorporating amendments to the Plumpton Coursing Rules.

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Crimes Amendment (Gross Violence Offences) Bill 2012 without amendment.
- 14 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on, 26 February 2013, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Courts Legislation Amendment (Reserve Judicial Officers) Bill 2012

Crimes Amendment (Gross Violence Offences) Bill 2012

Electronic Conveyancing (Adoption of National Law) Bill 2012

Health Services Amendment (Health Purchasing Victoria) Bill 2012.

- 15 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Major Sporting Events Amendment Bill 2013.
- 16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 7 March 2013:

Alpine Resorts and National Parks Acts Amendment Bill 2013

Assisted Reproductive Treatment Amendment Bill 2012

Education and Training Reform Amendment (Teacher Registration and Other Matters) Bill 2013

Major Sporting Events Amendment Bill 2013

Water Legislation Amendment Bill 2012

(*Mr McIntosh*) — after debate, put.

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

- 17 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 18 **WATER LEGISLATION AMENDMENT BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Wooldridge*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 19 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Jury Directions Bill 2012 without amendment.
- 20 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.
- 21 **EDUCATION AND TRAINING REFORM AMENDMENT (TEACHER REGISTRATION AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 10.00 pm under sessional orders.*
- 22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.45 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 120 — Wednesday 6 March 2013

- 1 The Speaker took the Chair and read the Prayer.
- 2 **RAIL SAFETY NATIONAL LAW APPLICATION BILL 2013** — Mr Mulder obtained leave to bring in a Bill *'for an Act to make provision for a national system of rail safety and to make related amendments to other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **TRANSPORT LEGISLATION AMENDMENT (RAIL SAFETY LOCAL OPERATIONS AND OTHER MATTERS) BILL 2013** — Mr Mulder obtained leave to bring in a Bill *'for an Act to amend the Rail Safety Act 2006 to facilitate the safe operation of railways in Victoria to which the Rail Safety National Law (Victoria) does not apply and to make amendments to that Act to align that Act with the Rail Safety National Law (Victoria) to ensure consistency in the regulation of all railway operations in Victoria, to amend the Bus Safety Act 2009 and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - MFB and CFA Funding Cuts** — Requesting that the Legislative Assembly urges the Baillieu Government to abandon its planned funding cuts and guarantee no further cuts to the Metropolitan Fire Brigade and Country Fire Authority will be made, bearing 332 signatures (*Ms Edwards*)
 - Cuts to TAFE Funding** — Requesting that the Legislative Assembly urges the Baillieu Government to abandon the planned TAFE funding cuts and ensure that no further cuts will be made, bearing 53 signatures (*Ms Edwards*)
 - Funding for the VET and VCAL Programs** — Requesting that the Legislative Assembly urges the Baillieu Government to guarantee no further cuts to education funding will be made in the upcoming 2013–14 budget, bearing 315 signatures (*Ms Duncan*).

Petitions ordered to be tabled.
- 5 **PETITION — MFB AND CFA FUNDING CUTS** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 6 **PETITION — CUTS TO TAFE FUNDING** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 7 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Macedon be taken into consideration tomorrow (*Ms Duncan*) — put and agreed to.
- 8 **DOCUMENTS**
 - COMMONWEALTH LEGISLATIVE INSTRUMENTS** — Revised National Classification Code, Guidelines for the Classification of Computer Games and Guidelines for the Classification of Films tabled by leave (*Mr Clark*).
 - DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Management of Unplanned Leave in Emergency Services — Ordered to be printed

Crimes (Assumed Identities) Act 2004 — Report 2011–12 under s 31

Statutory Rules under the following Acts:

Civil Procedure Act 2010 — SR 27

Road Safety Act 1986 — SR 26

Supreme Court Act 1986 — SR 27

Victorian Energy Efficiency Target Act 2007 — SR 24

Water Industry Act 1994 — SR 25

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 26, 27

Surveillance Devices Act 1999 — Reports 2011–12 under s 30L (two documents).

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

Energy Legislation Amendment (Flexible Pricing and Other Matters) Bill 2012

Statute Law Amendment (Directors' Liability) Bill 2012.

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

- 11 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — ROAD SAFETY** — The House was informed that Mr Ryan had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House endorses Victoria's Road Safety Strategy 2013–2022 and Victoria's Road Safety Action Plan 2013–2016 both of which were recently announced by the Victorian Government.'

Mr Ryan addressed the House — Discussion followed.

- 12 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Law Reform Committee's Report on the Inquiry into Access to and Interaction with the Justice System by People with an Intellectual Disability and their Families and Carers

Public Accounts and Estimates Committee's Report on the 2012–13 Budget Estimates — Part One

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry into Liveability Options in Outer Suburban Melbourne.

- 13 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

AYES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

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

Business having been interrupted at 2.00 pm under standing orders.

14 **QUESTIONS** — (Under SO 55).

15 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2012** — Debate continued on question — That this Bill be now read a second time.

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

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

16 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 to 5 inclusive, be postponed until later this day.

17 **ADOPTION AMENDMENT BILL 2013** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 20 March 2013.

18 **PLANNING AND ENVIRONMENT AMENDMENT (GROWTH AREAS AUTHORITY AND MISCELLANEOUS) BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 20 March 2013.

19 **ALPINE RESORTS AND NATIONAL PARKS ACTS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

AYES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

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

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

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

- 20 **MAJOR SPORTING EVENTS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Acting Speaker left the Chair at 10.50 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 121 — Thursday 7 March 2013

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

Secondary College in Doreen and Mernda — Requesting that the Legislative Assembly urges the Baillieu Government to urgently fund the building of a secondary college in Doreen and Mernda, bearing 335 signatures (*Ms Green*).

Ordered to be tabled.

- 3 **PETITION — SECONDARY COLLEGE IN DOREEN AND MERENDA** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Health Practitioner National Law (Victoria) Act 2009* — Report 2011–12 of the National Health Practitioner Ombudsman and Privacy Commissioner
- Planning and Environment Act 1987* — Notices of approval of amendments to the Victoria Planning Provisions — VC89, VC97
- Surveillance Devices Act 1999* — Report of the Victorian Inspectorate under s 30Q.
- 5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 19 March 2013 (*Mr McIntosh*) — put and agreed to.
- 6 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 7 **MAJOR SPORTING EVENTS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Watt*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Co-operatives National Law Application Bill 2013 without amendment.
- 9 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 to 5 inclusive, be postponed until later this day.
- 10 **CRIMES AMENDMENT (INTEGRITY IN SPORTS) BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).
- Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.
- Ordered — That the debate be adjourned until Thursday 21 March 2013.
- 11 **RAIL SAFETY NATIONAL LAW APPLICATION BILL 2013** — *Mr Mulder tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Mulder*).
- Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.
- Ordered — That the debate be adjourned until Thursday 21 March 2013.
- 12 **TRANSPORT LEGISLATION AMENDMENT (RAIL SAFETY LOCAL OPERATIONS AND OTHER MATTERS) BILL 2013** — *Mr Mulder tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Mulder*).

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

Ordered — That the debate be adjourned until Thursday 21 March 2013.

- 13 **MAJOR SPORTING EVENTS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 14 **QUESTIONS** — (Under SO 55).

Member named and suspended — The Member for Macedon (*Ms Duncan*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Macedon (*Ms Duncan*) be suspended from the service of the House during the remainder of the day's sitting (*Mr McIntosh*) — put.

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

AYES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Ms Duncan accordingly withdrew from the Chamber.

- 15 **MAJOR SPORTING EVENTS AMENDMENT BILL 2013** — Debate resumed on question — That this Bill be now read a second time.

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

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

- 16 **PRIVILEGES COMMITTEE** — Motion made, by leave, and question — That Dr Napthine be discharged from attendance on the Privileges Committee and that Mr O'Brien be appointed in his place (*Mr McIntosh*) — put and agreed to.

- 17 **MAJOR SPORTING EVENTS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 5 March 2013 had expired.

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

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

Bill sent to the Legislative Council and their agreement requested.

- 18 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 19 **ALPINE RESORTS AND NATIONAL PARKS ACTS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 20 **WATER LEGISLATION AMENDMENT BILL 2012** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 21 **EDUCATION AND TRAINING REFORM AMENDMENT (TEACHER REGISTRATION AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 4.01 pm under sessional orders.

- 22 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.43 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 122, 123 and 124

No 122 — Tuesday 19 March 2013

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

2 **QUESTIONS** — (Under SO 55).

3 **PARLIAMENTARY COMMITTEES AMENDMENT BILL 2013** — Ms Asher obtained leave to bring in a Bill '*for an Act to amend the **Parliamentary Committees Act 2003** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

4 **INTEGRITY LEGISLATION AMENDMENT BILL 2013** — Mr McIntosh obtained leave to bring in a Bill '*for an Act to amend the **Independent Broad-based Anti-corruption Commission Act 2011** and the **Victorian Inspectorate Act 2011** to provide for pension entitlements, to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **CORRECTIONS FURTHER AMENDMENT BILL 2013** — Mr McIntosh obtained leave to bring in a Bill '*for an Act to amend the **Corrections Act 1986** to validate certain actions and decisions and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **GAMBLING REGULATION AMENDMENT BILL 2013** — Mr McIntosh obtained leave to bring in a Bill '*for an Act to make miscellaneous amendments to the **Gambling Regulation Act 2003** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **ENERGY LEGISLATION AMENDMENT (FEED-IN TARIFFS AND OTHER MATTERS) BILL 2013** — Mr Kotsiras obtained leave to bring in a Bill '*for an Act to amend the **Electricity Industry Act 2000**, the **Electricity Safety Act 1998**, the **Energy Safe Victoria Act 2005**, the **Gas Safety Act 1997** and the **Victorian Energy Efficiency Target Act 2007** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

8 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 4 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Adoption Amendment Bill 2013

Crimes Amendment (Integrity in Sports) Bill 2013

Justice Legislation Amendment (Cancellation of Parole and Other Matters) Bill 2013

Planning and Environment (Growth Areas Authority and Miscellaneous) Bill 2013

Rail Safety National Law Application Bill 2013

Transport Legislation Amendment (Rail Safety Local Operations and Other Matters) Bill 2013

together with extracts from the proceedings, appendices and a minority report.

Ordered to be tabled and printed.

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

Climate Change Act 2010 — Climate Change Adaptation Plan

Commissioner for Environmental Sustainability Act 2003 — Strategic Audit of Environmental Management Systems in Victorian Government 2011–12

Financial Management Act 1994 — 2012–13 Mid-Year Financial Report incorporating the Quarterly Financial Report No 2 for the period ended 31 December 2012

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2012–13 Budget Estimates — Part Two

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

Ballarat — C148

Baw Baw — C86

Casey — C133

East Gippsland — C109

Greater Geelong — C186, C240

Manningham — C66

Maribyrnong — C70

Stonnington — C164

Victoria Planning Provisions — VC85

Statutory Rules under the following Acts:

Fisheries Act 1995 — SR 28

Livestock Management Act 2010 — SR 29

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 24, 28, 29

Documents under s 16B in relation to *National Parks Act 1975* — Determination of conditions and times for firewood collection in Barmah National Park.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Criminal Organisations Control Act 2012 — Whole Act — 13 March 2013 (*Gazette S86, 13 March 2013*)

Electronic Conveyancing (Adoption of National Law) Act 2013 — Parts 1 and 2 and Divisions 1, 2 and 3 of Part 3 — 14 March 2013 (*Gazette S86, 13 March 2013*)

Residential Tenancies and Other Consumer Acts Amendment Act 2012 — Part 4 — 18 March 2013 (*Gazette S86, 13 March 2013*)

Traditional Owner Settlement Amendment Act 2013 — Whole Act — 8 March 2013 (*Gazette S70, 5 March 2013*).

9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Corrections Amendment Bill 2012 without amendment.

10 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 13 March 2013, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Co-operatives National Law Application Bill 2013
 Corrections Amendment Bill 2012
 Energy Legislation Amendment (Flexible Pricing and Other Matters) Bill 2012
 Jury Directions Bill 2012
 Statute Law Amendment (Directors' Liability) Bill 2012.

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

Planning and Environment Amendment (Growth Areas Authority and Miscellaneous) Bill 2013
 Rail Safety National Law Application Bill 2013
 Transport Legislation Amendment (Rail Safety Local Operations and Other Matters) Bill 2013.

- 12 **ELECTORAL MATTERS COMMITTEE** — The Speaker announced that he had received the resignation of Mrs Victoria from the Electoral Matters Committee, effective from 18 March 2013.

- 13 **ORDERS OF THE HOUSE RESCINDED** — Motion made, by leave, and question — That the Orders of the House making the resumption of debate on the second readings of the:

- (1) Rail Safety National Law Application Bill 2013; and
- (2) Transport Legislation Amendment (Rail Safety Local Operations and Other Matters) Bill 2013

Orders of the Day for Thursday 21 March 2013, be read and rescinded and that these Bills be made Orders of the Day for Wednesday 20 March 2013 (*Mr McIntosh*) — put and agreed to.

- 14 **CONCURRENT DEBATE — RAIL SAFETY NATIONAL LAW APPLICATION BILL 2013 AND TRANSPORT LEGISLATION AMENDMENT (RAIL SAFETY LOCAL OPERATIONS AND OTHER MATTERS) BILL 2013** — Motion made, by leave, and question — That this House authorises and requires the Speaker to permit the second reading and subsequent stages of the Rail Safety National Law Application Bill 2013 and the Transport Legislation Amendment (Rail Safety Local Operations and Other Matters) Bill 2013 to be moved and debated concurrently (*Mr McIntosh*) — put and agreed to.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following items be considered and completed by 4.00 pm on Thursday 21 March 2013:

Company Titles (Home Units) Bill 2013
 Crimes Amendment (Integrity in Sports) Bill 2013
 Motion in relation to Cardinia Planning Scheme Amendment C176
 Motion in relation to School Funding Reform Plan
 Planning and Environment Amendment (Growth Areas Authority and Miscellaneous) Bill 2013
 Rail Safety National Law Application Bill 2013
 Transport Legislation Amendment (Rail Safety Local Operations and Other Matters) Bill 2013

(*Mr McIntosh*) — put, after debate, and agreed to.

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

- 17 **CARDINIA PLANNING SCHEME** — Motion made, and question proposed — That under s 46AH of the *Planning and Environment Act 1987*, Cardinia Planning Scheme Amendment C176 be ratified (*Mr Clark*) — and, after debate —

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

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

18 **SCHOOL FUNDING REFORM PLAN** — Motion made, and question proposed — That this House notes the Victorian Government's school funding reform plan that:

- (1) ensures that no student is worse off;
- (2) provides additional funding for disadvantaged students and greater choice for parents; and
- (3) seeks to focus on improving outcomes for our students;

in contrast to the Federal Government's lack of detail and certainty —

(*Mr Dixon*) — and, after debate —

Amendment proposed — That after the word 'certainty' there be inserted the words 'and further notes that the Victorian Government's school funding reform plan:

- (4) does not reinstate the \$555 million ripped out of education nor the \$290 million per year of devastating cuts to TAFE;
- (5) does not pass on \$100 million of National Partnerships funding deliberately withheld from government schools; and
- (6) provides approximately \$1.2 billion less for Victorian schools compared to the National Plan for School Improvement' (*Mr Merlino*) — and, after debate —

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

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

AYES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

19 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Education and Training Reform Amendment (Teacher Registration and Other Matters) Bill 2013 without amendment.

20 **COMPANY TITLES (HOME UNITS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

AYES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

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

Business having been interrupted at 10.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.45 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 123 — Wednesday 20 March 2013

- 1 The Speaker took the Chair and read the Prayer.
- 2 **RESIDENTIAL TENANCIES ACT (ROOMING HOUSE STANDARDS) AMENDMENT BILL 2013** — Motion made and question — That Ms D'Ambrosio have leave to bring in a Bill *for an Act to amend the Residential Tenancies Act 1997 to ensure that Rooming House Owners cannot opt out of the Rooming House Standards established under the provisions of the Act* — put.

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

AYES 40

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

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

Funding for the VET and VCAL Programs — Requesting that the Legislative Assembly urges the Government to guarantee no further cuts to education funding will be made in the upcoming 2013–14 budget, bearing 380 signatures (*Ms Garrett*)

Introduction of Traffic Management System — Requesting that the Legislative Assembly urges the Government to give consideration to either the introduction of traffic lights or the establishment of a roundabout at the intersection of Wedge Road and Frankston-Dandenong Road, Carrum Downs, bearing 1126 signatures (*Mr Perera*)

Taxi Services — Requesting that the Legislative Assembly urges the Government to increase taxi service numbers on the Mornington Peninsula, bearing 2159 signatures (*Mr Morris*)

Municipal Rates — Ararat Rural City Council — Requesting that the Legislative Assembly urges the Government to abolish rates and support a rise in the GST to specifically fund local government, bearing 121 signatures (*Mr Helper*).

Petitions ordered to be tabled.

- 4 **PETITION — TAXI SERVICES** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 5 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 6 **PETITION — INTRODUCTION OF TRAFFIC MANAGEMENT SYSTEM** — Motion made and question — That the petition presented by the Member for Cranbourne be taken into consideration tomorrow (*Mr Perera*) — put and agreed to.
- 7 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Management of Freshwater Fisheries — Ordered to be printed

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

Brimbank — C155
 Maribyrnong — C121
 Melbourne — C213
 Melton — C139.

- 8 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** — The Speaker announced that he had received the resignation of Mr O'Donohue, MLC from the Scrutiny of Acts and Regulations Committee, effective from 19 March 2013.

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

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

11 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry into Liveability Options in Outer Suburban Melbourne

Public Accounts and Estimates Committee's Report on the Appointment of the Auditor-General of Victoria

Public Accounts and Estimates Committee's Report on the 2012–13 Budget Estimates — Part One

Public Accounts and Estimates Committee's Report on the 2012–13 Budget Estimates — Part Two

Public Accounts and Estimates Committee's Report on the Inquiry into Effective Decision Making for the Successful Delivery of Significant Infrastructure Projects

Scrutiny of Acts and Regulations Committee's Report on the Review of the *Charter of Human Rights and Responsibilities Act 2006*.

12 **PLANNING AND ENVIRONMENT AMENDMENT (GROWTH AREAS AUTHORITY AND MISCELLANEOUS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

13 **QUESTIONS** — (Under SO 55).

Member named and suspended — The Member for Eltham (*Mr Herbert*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Eltham (*Mr Herbert*) be suspended from the service of the House during the remainder of the day's sitting (*Mr McIntosh*) — put.

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

AYES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Mr Herbert accordingly withdrew from the Chamber.

- 14 **PLANNING AND ENVIRONMENT AMENDMENT (GROWTH AREAS AUTHORITY AND MISCELLANEOUS) BILL 2013** — Debate continued on question — That this Bill be now read a second time.

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

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

AYES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

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

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

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

AYES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

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

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

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

- 15 **RAIL SAFETY NATIONAL LAW APPLICATION BILL 2013 AND TRANSPORT LEGISLATION AMENDMENT (RAIL SAFETY LOCAL OPERATIONS AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That these Bills be now read a second time; debate resumed.

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

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

AYES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

Debate resumed on question — That these Bills be now read a second time.

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

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

- 16 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 4 to 8 inclusive, be postponed until later this day.

- 17 **ENERGY LEGISLATION AMENDMENT (FEED-IN TARIFFS AND OTHER MATTERS) BILL 2013** — *Mr Kotsiras tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 3 April 2013.

- 18 **GAMBLING REGULATION AMENDMENT BILL 2013** — *Mr McIntosh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 3 April 2013.

- 19 **CORRECTIONS FURTHER AMENDMENT BILL 2013** — *Mr McIntosh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 3 April 2013.

- 20 **INTEGRITY LEGISLATION AMENDMENT BILL 2013** — *Mr McIntosh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 3 April 2013.

- 21 **PARLIAMENTARY COMMITTEES AMENDMENT BILL 2013** — *Ms Asher tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 3 April 2013.

- 22 **RAIL SAFETY NATIONAL LAW APPLICATION BILL 2013 AND TRANSPORT LEGISLATION AMENDMENT (RAIL SAFETY LOCAL OPERATIONS AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That these Bills be now read a second time; debate resumed.

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

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

AYES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

Debate resumed on question — That these Bills be now read a second time.

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

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

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

24 **SCHOOL FUNDING REFORM PLAN** — Order read for resuming debate on question — That this House notes the Victorian Government's school funding reform plan that:

- (1) ensures that no student is worse off;
- (2) provides additional funding for disadvantaged students and greater choice for parents; and
- (3) seeks to focus on improving outcomes for our students;

in contrast to the Federal Government's lack of detail and certainty — *and on the amendment* — That after the word 'certainty' there be inserted the words 'and further notes that the Victorian Government's school funding reform plan:

- (4) does not reinstate the \$555 million ripped out of education nor the \$290 million per year of devastating cuts to TAFE;
- (5) does not pass on \$100 million of National Partnerships funding deliberately withheld from government schools; and
- (6) provides approximately \$1.2 billion less for Victorian schools compared to the National Plan for School Improvement'; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

25 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.53 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 124 — Thursday 21 March 2013

1 The Speaker took the Chair and read the Prayer.

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

Funding for the VET and VCAL programs — Requesting that the Legislative Assembly urges the Government to guarantee no further cuts to education funding will be made in the upcoming 2013–14 budget, bearing 124, 226, and 113 signatures (*Mr Howard, Ms Allan and Ms Barker respectively*)

Change to Red P Plate Licences — Requesting that the Legislative Assembly urges the Government to change the red probationary drivers licence laws to allow young drivers to carry more than one passenger of any age during the day, and for the restriction to only apply between the hours of 10.00 pm and 6.00 am each night, bearing 98 signatures (*Mr Morris*).

Petitions ordered to be tabled.

- 3 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Ballarat East be taken into consideration tomorrow (*Mr Howard*) — put and agreed to.
- 4 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Oakleigh be taken into consideration tomorrow (*Ms Barker*) — put and agreed to.
- 5 **PETITION — CHANGE TO RED P PLATE LICENCES** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 6 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Bendigo East be taken into consideration tomorrow (*Ms Allan*) — put and agreed to.

7 **DOCUMENTS**

VICTORIAN GOVERNMENT ABORIGINAL AFFAIRS — Report 2012 tabled by leave (*Mrs Powell*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Annual Review 2012, together with appendices tabled by leave (*Ms Campbell*).

Ordered to be printed.

RURAL AND REGIONAL COMMITTEE — Mr Weller, Chair, presented a report from the Rural and Regional Committee on the Inquiry into the Impact of Food Safety Regulation on Farms and Other Businesses, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices printed.

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Mr Clark presented by Command of the Governor:

Children's Court of Victoria — Report 2011–12

Ordered to be tabled.

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

Safe Drinking Water Act 2003 — Drinking Water Quality in Victoria Report 2011–12

Statutory Rules under the following Acts:

Architects Act 1991 — SR 33

Business Licensing Authority Act 1998 — SR 31

Fisheries Act 1995 — SR 18 (*in lieu of statutory rule previously tabled on 20 February 2013, together with an explanation from the Government Printer*)

Infringements Act 2006 — SR 30

Subdivision Act 1988 — SR 32

Transfer of Land Act 1958 — SR 32

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 30, 31.

- 8 **ECONOMIC DEVELOPMENT AND INFRASTRUCTURE COMMITTEE** — Motion made, by leave, and question — That Mrs Fyffe be appointed a member of the Economic Development and Infrastructure Committee (*Mr McIntosh*) — put and agreed to.
- 9 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 16 April 2013 (*Mr McIntosh*) — put and agreed to.
- 10 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 11 **CRIMES AMENDMENT (INTEGRITY IN SPORTS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

AYES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

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

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

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

AYES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

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

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

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

AYES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

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

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

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

AYES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

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

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

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

AYES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

Business having been interrupted at 2.00 pm under standing orders.

12 **QUESTIONS** — (Under SO 55).

13 **CRIMES AMENDMENT (INTEGRITY IN SPORTS) BILL 2013** — Debate resumed on question — That this Bill be now read a second time.

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

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

AYES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

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

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

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

14 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 to 6 inclusive, be postponed until later this day.

15 **SCHOOL FUNDING REFORM PLAN** — Order read for resuming debate on question — That this House notes the Victorian Government's school funding reform plan that:

- (1) ensures that no student is worse off;
- (2) provides additional funding for disadvantaged students and greater choice for parents; and
- (3) seeks to focus on improving outcomes for our students;

in contrast to the Federal Government's lack of detail and certainty —

and on the amendment — That after the word 'certainty' there be inserted the words 'and further notes that the Victorian Government's school funding reform plan:

- (4) does not reinstate the \$555 million ripped out of education nor the \$290 million per year of devastating cuts to TAFE;
- (5) does not pass on \$100 million of National Partnerships funding deliberately withheld from government schools; and
- (6) provides approximately \$1.2 billion less for Victorian schools compared to the National Plan for School Improvement'; debate resumed.

Allocation of time — *The Speaker advised that the time allocated for consideration of items under the resolution of the House on Tuesday 19 March 2013 had expired.*

Question — That such words be inserted — put.

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

AYES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

Question — That the motion be agreed to — put.

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

AYES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

- 16 **CRIMES AMENDMENT (INTEGRITY IN SPORTS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 17 **PLANNING AND ENVIRONMENT AMENDMENT (GROWTH AREAS AUTHORITY AND MISCELLANEOUS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 18 **RAIL SAFETY NATIONAL LAW APPLICATION BILL 2013 AND TRANSPORT LEGISLATION AMENDMENT (RAIL SAFETY LOCAL OPERATIONS AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That these Bills be now read a second time.
- Question — That these Bills be now read a second time and a third time — put and agreed to.
- Bills sent to the Legislative Council and their agreement requested.
- 19 **COMPANY TITLES (HOME UNITS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time — put and agreed to.
- Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.
- Bill sent to the Legislative Council and their agreement requested.
- 20 **CARDINIA PLANNING SCHEME** — Order read for resuming debate on question — That under s 46AH of the *Planning and Environment Act 1987*, Cardinia Planning Scheme Amendment C176 be ratified.
- Question — That the motion be agreed to — put and agreed to.
- Business having been interrupted at 4.11 pm under sessional orders.*
- 21 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.49 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 125, 126 and 127

No 125 — Tuesday 16 April 2013

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **DEATH OF BRUCE ALBERT EDWARD SKEGGS, OAM, THE HONOURABLE JOHN DON, MBE, AND WILLIAM FRANCIS STEPHEN, AM** — The Speaker announced the death of Bruce Albert Edward Skeggs, OAM, Member of the Legislative Assembly for the Electoral District of Ivanhoe from 1973 to 1982 and Member of the Legislative Council for Templestowe Province from 1988 to 1996; the Honourable John Don, MBE, Member of the Legislative Assembly for the Electoral District of Elsternwick from 1945 to 1955; and William Francis Stephen, AM, Member of the Legislative Assembly for the Electoral District of Ballarat South from 1964 to 1979; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTIONS** — (Under SO 55).
- 4 **SENTENCING AMENDMENT (ABOLITION OF SUSPENDED SENTENCES AND OTHER MATTERS) BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the Criminal Procedure Act 2009, the Infringements Act 2006, the Magistrates' Court Act 1989, the Sentencing Act 1991, the Sentencing Amendment (Community Correction Reform) Act 2011, the Serious Sex Offenders (Detention and Supervision) Act 2009, the Sex Offenders Registration Act 2004, the Sheriff Act 2009, the Summary Offences Act 1966 and the Surveillance Devices Act 1999 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **JUSTICE LEGISLATION AMENDMENT BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the Administration and Probate Act 1958, the Crown Land (Reserves) Act 1978, the Electoral Act 2002, the Magistrates' Court Act 1989, the Sentencing Act 1991, the Coroners Act 2008 and the Victorian Institute of Forensic Medicine Act 1985 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **BAIL AMENDMENT BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the Bail Act 1977 in relation to bail conditions and to make various other amendments relating to bail and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **ABORIGINAL LANDS AMENDMENT BILL 2013** — Mrs Powell obtained leave to bring in a Bill '*for an Act to amend the Aboriginal Lands Act 1970 to make further provision for the administration of the Framlingham Aboriginal Trust and the Lake Tyers Aboriginal Trust, to broaden the functions of those Trusts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **EDUCATION AND TRAINING REFORM AMENDMENT (SCHOOL ATTENDANCE) BILL 2013** — Mr Dixon obtained leave to bring in a Bill '*for an Act to amend the Education and Training Reform Act 2006 in relation to compulsory enrolment and attendance at school and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

MFB and CFA Funding Cuts — Requesting that the Legislative Assembly urges the Government to abandon its planned funding cuts and guarantee no further cuts to the Metropolitan Fire Brigade and Country Fire Authority will be made, bearing 292 signatures (*Mr Nardella*)

Cuts to TAFE Funding — Requesting that the Legislative Assembly urges the Government to abandon the planned TAFE funding cuts and ensure that no further cuts will be made, bearing 12 signatures (*Mr Nardella*)

Thompsons Road Upgrade — Requesting that the Legislative Assembly urges the Government to provide funding to upgrade Thompsons Road, between South Gippsland Highway and Western Port Highway, bearing 95 signatures (*Ms Graley*)

East Coburg to South Melbourne Beach, Tram Route 1 — Requesting that the Legislative Assembly urges the Government to ask the Minister for Public Transport to change the timetable of the Tram Route 1, Sunday service to begin at Bell Street from 7.30 am or earlier, bearing 169 signatures (*Ms Campbell*).

Petitions ordered to be tabled.

10 **PETITION — EAST COBURG TO SOUTH MELBOURNE BEACH, TRAM ROUTE 1** — Motion made and question — That the petition presented by the Member for Pascoe Vale be taken into consideration tomorrow (*Ms Campbell*) — put and agreed to.

11 **PETITION — THOMPSONS ROAD UPGRADE** — Motion made and question — That the petition presented by the Member for Narre Warren South be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.

12 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 5 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Adoption Amendment Bill 2013

Corrections Further Amendment Bill 2013

Energy Legislation Amendment (Feed-in Tariffs and Other Matters) Bill 2013

Gambling Regulation Amendment Bill 2013

Integrity Legislation Amendment Bill 2013

Parliamentary Committees Amendment Bill 2013

Rail Safety National Law Application Bill 2013

Transport Legislation Amendment (Rail Safety Local Operations and Other Matters) Bill 2013

together with appendices.

Ordered to be tabled and printed.

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

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Camperdown Public Park Reserve

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 29 (*Gazette G12, 21 March 2013*)

Municipal Association of Victoria — Report 2011–12

Murray-Darling Basin Authority — Report 2011–12

National Environment Protection Council — Report 2011–12

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

Ararat — C28
 Banyule — C89
 Baw Baw — C96
 Bayside — C90 Part 1
 Boroondara — C172
 Buloke — C26
 East Gippsland — C89, C113
 Frankston — C86
 Gannawarra — C32
 Glen Eira — C93
 Golden Plains — C58, C59
 Greater Bendigo — C166 Part 2, C174
 Greater Shepparton — C158
 Hepburn — C55, C57
 Hobsons Bay — C87
 Kingston — C117, C130, C135
 Knox — C101, C110, C111
 Latrobe — C65
 Maribyrnong — C89
 Melbourne — C187, C194
 Melton — C127
 Mitchell — C86
 Monash — C108
 Moonee Valley — C109
 Moreland — C83
 Murrindindi — C32
 Port Phillip — C88, C93
 Stonnington — C141
 Towong — C27
 Warrnambool — C70
 Wellington — C76
 Whitehorse — C108, C140, C148, C150, C151
 Wodonga — C82 Part 1, C104

Statutory Rules under the following Acts:

County Court Act 1958 — SR 36
Criminal Organisations Control Act 2012 — SR 34
Magistrates' Court Act 1989 — SR 35
Prevention of Cruelty to Animals Act 1986 — SR 37

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 32, 33, 34, 35, 36, 37

Documents under s 16B in relation to:

Domestic Animals Act 1994 — Exemption for certain guide dog organisations from the requirements of a domestic animal business

Education and Training Reform Act 2006:

Constitution of the Advance TAFE Order 2013
 Constitution of the Bendigo TAFE Order 2013
 Constitution of the Box Hill Institute and the Centre for Adult Education Order 2013
 Constitution of the Central Gippsland Institute of TAFE Order 2013
 Constitution of the Chisholm Institute Order 2013
 Constitution of the Gordon Institute of TAFE Order 2013
 Constitution of the Goulburn Ovens Institute of TAFE Order 2013
 Constitution of the Holmesglen Institute Order 2013
 Constitution of the Kangan Institute Order 2013
 Constitution of the Northern Institute of TAFE Order 2013
 Constitution of the South West Institute of TAFE Order 2013
 Constitution of the Sunraysia Institute of TAFE Order 2013
 Constitution of the William Angliss Institute of TAFE Order 2013
 Constitution of the Wodonga Institute of TAFE Order 2013
Prevention of Cruelty to Animals Act 1986 — Revocation of Codes of Practice

Transport Integration Act 2010 — Public Transport Performance Report 1 July to 31 December 2012

Wildlife Act 1975 — Wildlife (Prohibition on Game Hunting) Notice Nos 1, 2, 3/2013.

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

26 March 2013

The Hon Ken Smith MP
 Speaker
 Legislative Assembly
 Parliament House
 Melbourne Vic 3002

Dear Speaker

I write to advise that on Tuesday 26 March 2013, I received a letter from Mr Martin Pakula MLC resigning his seat in the Legislative Council. A copy of that letter is enclosed for your reference.

Upon my receipt of that letter, Mr Pakula's seat in the Legislative Council became vacant. I note that, in accordance with section 27A of the *Constitution Act 1975*, a joint sitting of the Council and Assembly is now required to fill this vacancy.

I have written to the President in like terms.

Yours faithfully

Alex Chernov
 Governor.

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

Justice Legislation Amendment (Cancellation of Parole and Other Matters) Bill 2013
 Major Sporting Events Amendment Bill 2013.

- 15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Water Legislation Amendment Bill 2012 with amendments.

Ordered — That the amendments be taken into consideration tomorrow.

- 16 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 26 March 2013, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Education and Training Reform Amendment (Teacher Registration and Other Matters) Bill 2013
Justice Legislation Amendment (Cancellation of Parole and Other Matters) Bill 2013
Major Sporting Events Amendment Bill 2013.

- 17 **MESSAGE FROM THE LIEUTENANT-GOVERNOR** — Recommending an appropriation for the purposes of the Integrity Legislation Amendment Bill 2013.

- 18 **PRIVILEGES COMMITTEE** — Motion made, by leave, and question — That Mr McIntosh be discharged from attendance on the Privileges Committee and that Mr Hodgett be appointed in his place (*Ms Asher*) — put and agreed to.

- 19 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 18 April 2013:

Adoption Amendment Bill 2013
Corrections Further Amendment Bill 2013
Gambling Regulation Amendment Bill 2013
Integrity Legislation Amendment Bill 2013
Parliamentary Committees Amendment Bill 2013
Water Legislation Amendment Bill 2012 — Amendments of the Legislative Council

(*Ms Asher*) — after debate, put.

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

- 20 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 21 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 1 and 2, be postponed until later this day.
- 22 **GAMBLING REGULATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 23 **ADOPTION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

Member named and suspended — The Member for Yan Yean (*Ms Green*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Yan Yean (*Ms Green*) be suspended from the service of the House during the remainder of the day's sitting (*Ms Asher*) — put.

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 39

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Ms Green accordingly withdrew from the Chamber.

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

Business having been interrupted at 10.00 pm under sessional orders.

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

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 126 — Wednesday 17 April 2013

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DEPUTY COMMISSIONER, IBAC** — The Speaker advised that, on 16 April 2013, he administered to Andrew Kirkham, the Deputy Commissioner, Independent Broad-based Anti-corruption Commission, the affirmation required by s 31 of the *Independent Broad-based Anti-corruption Commission Act 2011*.
- 3 **FORTIFICATION REMOVAL BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to provide for the Magistrates' Court, on application by the Chief Commissioner of Police, to require the removal or modification of fortifications on premises that are connected to certain criminal offences and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **HEAVY VEHICLE NATIONAL LAW APPLICATION BILL 2013** — Mr Mulder obtained leave to bring in a Bill '*for an Act to provide for the application of a National Law to regulate the use of heavy vehicles, to make related and consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Cuts to TAFE Funding** — Requesting that the Legislative Assembly urges the Government to abandon the planned TAFE funding cuts and ensure that no further cuts will be made, bearing 925 signatures (*Mr Brooks*)
- Funding for the VET and VCAL Programs** — Requesting that the Legislative Assembly urges the Government to guarantee no further cuts to education funding will be made in the upcoming 2013–14 budget, bearing 7 and 61 signatures (*Mr Brooks and Ms D'Ambrosio respectively*)
- AEU Bans** — Requesting that the Legislative Assembly urges the Government to deliver a speedy and fair resolution of the current industrial action between the AEU and the coalition Government, bearing 191 signatures (*Mr Southwick*)
- Traffic Management System in Carrum Downs** — Requesting that the Legislative Assembly urges the Government to give consideration to either the introduction of traffic lights or the establishment of a roundabout at the intersection of Wedge Road and Frankston-Dandenong Road, Carrum Downs, bearing 16 signatures (*Mr Perera*)
- Public Transport Options for South Eastern and Eastern Suburbs** — Requesting that the Legislative Assembly urges the Government to — (a) upgrade the current substandard passenger and bus interchange facilities at Huntingdale station; and (b) increase Route 703 bus service to a 10 minute frequency, bearing 1018 signatures (*Ms Barker*).
- Petitions ordered to be tabled.
- 6 **PETITION — CUTS TO TAFE FUNDING** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.
- 7 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.

- 8 **PETITION — PUBLIC TRANSPORT OPTIONS FOR SOUTH EASTERN AND EASTERN SUBURBS** — Motion made and question — That the petition presented by the Member for Oakleigh be taken into consideration tomorrow (*Ms Barker*) — put and agreed to.
- 9 **PETITION — TRAFFIC MANAGEMENT SYSTEM IN CARRUM DOWNS** — Motion made and question — That the petition presented by the Member for Cranbourne be taken into consideration tomorrow (*Mr Perera*) — put and agreed to.
- 10 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Auditor-General:
- Consumer Protection — Ordered to be printed
 Managing Traffic Congestion — Ordered to be printed
 Public Asset Valuation — Ordered to be printed
- Parliamentary Committees Act 2003* — Government response to the Family and Community Development Committee's Report on the Inquiry into Workforce Participation by People with a Mental Illness
- Planning and Environment Act 1987* — Notices of approval of amendments to the following Planning Schemes:
- Casey — C161
 Knox — C49
 Macedon Ranges — C67 Part 2
 Stonnington — C128
 Wodonga — C78.
- 11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:
- Alpine Resorts and National Parks Acts Amendment Bill 2013
 Assisted Reproductive Treatment Amendment Bill 2012.
- 12 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That:
- (1) Mr McIntosh be discharged from attendance on the Standing Orders Committee and that Ms Asher be appointed in his place;
 - (2) Mr McIntosh and Dr Napthine be discharged from attendance on the Dispute Resolution Committee and that Ms Asher and Mr O'Brien be appointed in their place;
 - (3) Ms Allan be appointed to the Dispute Resolution Committee; and
 - (4) Mr Wakeling be discharged from attendance on the House Committee and Mr Burgess be appointed in his place —
- (*Ms Asher*) — put and agreed to.

13 **ECONOMIC DEVELOPMENT AND INFRASTRUCTURE COMMITTEE — LAW REFORM COMMITTEE — EXTENSION TO REPORTING DATES** — Motion made, by leave, and question — That:

- (1) the resolution of the House of 20 June 2012 be amended to extend the reporting date for the Economic Development and Infrastructure Committee's inquiry into local economic development initiatives in Victoria, to no later than 31 July 2013; and
- (2) the resolution of the House of 12 December 2012 be amended to extend the reporting date for the Law Reform Committee's inquiry into the creating, sharing, sending or posting of sexually explicit messages or images via the internet, mobile phones or other electronic devices by people, especially young people, (known as 'sexting'), to no later than 30 May 2013 —

(*Ms Asher*) — put and agreed to.

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

15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — JOB SECURITY AND COMPANY CLOSURES** — The House was informed that Mr Pallas had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes that despite being in power for over two years the Baillieu/Napthine Government has failed to provide a comprehensive plan to secure and create jobs in Victoria and that until it does Victorians will continue to witness company after company such as Shell, Holden and Ford, close their doors and Victorians will see their jobs disappear interstate and overseas.'

Mr Pallas addressed the House — Discussion followed.

16 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Rural and Regional Committee's Report on the Inquiry into the Impact of Food Safety Regulation on Farms and Other Businesses

Law Reform Committee's Report on the Inquiry into Access to and Interaction with the Justice System by People with an Intellectual Disability and their Families and Carers

Scrutiny of Acts and Regulations Committee's Report on the Review of the *Charter of Human Rights and Responsibilities Act 2006*

Public Accounts and Estimates Committee's Report on the Appointment of the Auditor-General of Victoria

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry into Liveability Options in Outer Suburban Melbourne.

17 **PARLIAMENTARY COMMITTEES AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

18 **QUESTIONS** — (Under SO 55).

19 **PARLIAMENTARY COMMITTEES AMENDMENT BILL 2013** — Debate continued on question — That this Bill be now read a second time.

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

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

- 20 **CORRECTIONS FURTHER AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 21 **INTEGRITY LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 22 **SENTENCING AMENDMENT (ABOLITION OF SUSPENDED SENTENCES AND OTHER MATTERS) BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 1 May 2013.

- 23 **JUSTICE LEGISLATION AMENDMENT BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 1 May 2013.

- 24 **BAIL AMENDMENT BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 1 May 2013.

- 25 **ABORIGINAL LANDS AMENDMENT BILL 2013** — *Mrs Powell tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 1 May 2013.

- 26 **EDUCATION AND TRAINING REFORM AMENDMENT (SCHOOL ATTENDANCE) BILL 2013** — *Mr Dixon tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 1 May 2013.

- 27 **CORRECTIONS FURTHER AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

AYES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

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

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

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

AYES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

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

Business having been interrupted at 10.00 pm under sessional orders.

- 28 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.46 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 127 — Thursday 18 April 2013

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

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

Victorian Code for Broiler Farms — Requesting that the Legislative Assembly urges the Government to address an anomaly by mandating notification to the EPA as a reporting authority and undertake an odour ERA in the Victorian Code for Broiler Farms 2009 for planning applications for broiler farms, bearing 1699 signatures (*Ms Edwards*)

Brunswick Terminal Station — Requesting that the Legislative Assembly urges the Government to reverse the approval of Amendment C140 to the Moreland Planning Scheme, acknowledge the significant concerns of the local community and work with the energy companies involved to fully explore another appropriate site, bearing 75 signatures (*Ms Garrett*)

Funding for the VET and VCAL Programs — Requesting that the Legislative Assembly urges the Government to guarantee no further cuts to education funding will be made in the upcoming 2013–14 budget, bearing 31 and 14 signatures (*Ms Garrett and Ms Green respectively*)

Springvale Road to Boronia Road Land Reserve — Requesting that the Legislative Assembly urges the Government to maintain the reservation between Springvale Road, Vermont South and

Boronia Road, Vermont, as open space for the use of the community and protect the endangered vegetation on the site, bearing 258 signatures (*Mr Angus*)

Chandler Highway Bridge — Requesting that the Legislative Assembly urges the Government to provide funding for, and give a commitment to, the duplication of the Chandler Highway Bridge, bearing 3794 signatures (*Ms Richardson*)

Elsa Corp Parole Reforms — Requesting that the Legislative Assembly urges the Government to — (a) implement immediate mandatory remand once a parolee has been charged with an indictable offence involving violence, sexual offending or carrying/use of a weapon; (b) provide for mandatory revocation of all parole when a parolee has been charged with an indictable offence of an equal or more serious nature; (c) once a parolee is convicted of an indictable offence ensure there is mandatory revocation of all parole; and (d) provide for representation at parole or review hearings by a police officer who has knowledge of the circumstances of the new offence, bearing 1517 signatures (*Mr Newton-Brown*)

Beaumaris High School — Requesting that the Legislative Assembly urges the Government to re-start the Beaumaris High School and deliver adequate funding for the school as promised in the 2010 election by the coalition Government, bearing 2790 signatures (*Mr Thompson, Sandringham*)

Surf Coast Shire Warning Systems — Requesting that the Legislative Assembly urges the Government to — (a) direct the CFA to take responsibility for the installation and operation of an adequate number of sirens in the area along the coast from Eastern View to Anglesea that are capable of alerting residents to an emergency situation; and (b) establish policy that defines clear lines of responsibility and accountability within the various agencies regarding warning systems, bearing 2899 signatures (*Mr Katos*)

Specialist Schools in Geelong Region — Requesting that the Legislative Assembly urges the Government to commit to both short and long term solutions to — (a) alleviate the problem of overcrowding in the two specialist schools (Barwon Valley and Nelson Park); and (b) provide a special school facility that best meets the needs of the students, bearing 146 signatures (*Mr Katos*)

Epping Road Project — Requesting that the Legislative Assembly urges the Government to fund and commence work on the Epping Road project as a matter of urgency, bearing 2 signatures (*Ms Green*)

Secondary College in Doreen and Mernda — Requesting that the Legislative Assembly urges the Government to urgently fund the building of a secondary college in Doreen and Mernda, bearing 473 signatures (*Ms Green*)

Cuts to TAFE Funding — Requesting that the Legislative Assembly urges the Government to abandon the planned TAFE funding cuts and ensure that no further cuts will be made, bearing 55 signatures (*Ms Green*)

Epping Road On-ramps — Requesting that the Legislative Assembly urges the Government to fund and commence work on both upgrading Epping Road and building on-ramps from O'Herns Road to the Hume Freeway as a matter of urgency, bearing 397 signatures (*Ms Green*).

Petitions ordered to be tabled.

- 3 **PETITION — ELSA CORP PAROLE REFORMS** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Newton-Brown*) — put and agreed to.
- 4 **PETITION — VICTORIAN CODE FOR BROILER FARMS** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.

- 5 **PETITION — SURF COAST SHIRE WARNING SYSTEMS** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.
- 6 **PETITION — SPECIALIST SCHOOLS IN GEELONG REGION** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.
- 7 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 8 **PETITION — EPPING ROAD PROJECT** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 9 **PETITION — SECONDARY COLLEGE IN DOREEN AND MERNDA** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 10 **PETITION — CUTS TO TAFE FUNDING** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 11 **PETITION — EPPING ROAD ON-RAMPS** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 12 **PETITION — BRUNSWICK TERMINAL STATION** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Ms Garrett*) — put and agreed to.
- 13 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Ms Garrett*) — put and agreed to.
- 14 **PETITION — BEAUMARIS HIGH SCHOOL** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.
- 15 **PETITION — CHANDLER HIGHWAY BRIDGE** — Motion made and question — That the petition presented by the Member for Northcote be taken into consideration tomorrow (*Ms Richardson*) — put and agreed to.

16 **DOCUMENTS**

MCD UNIVERSITY OF DIVINITY — Report 2012 tabled by leave (*Mr Dixon*).

AUSTRALIAN CATHOLIC UNIVERSITY LTD — Report 2012 tabled by leave (*Mr Dixon*).

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

Adult Multicultural Education Services — Report 2012 (two documents)

Ballarat University — Report 2012

Bendigo Regional Institute of TAFE — Report 2012

Box Hill Institute of TAFE — Report 2012 (two documents)

Central Gippsland Institute of TAFE — Report 2012

Centre for Adult Education — Report 2012

Chisholm Institute of TAFE — Report 2012

Deakin University — Report 2012

Driver Education Centre of Australia Ltd — Report 2012

East Gippsland Institute of TAFE — Report 2012

Gordon Institute of TAFE — Report 2012

Goulburn Ovens Institute of TAFE — Report 2012

Holmesglen Institute of TAFE — Report 2012

Kangan Batman Institute of TAFE — Report 2012

La Trobe University — Report 2012 (two documents)

Melbourne University — Report 2012 (two documents)

Monash University — Report 2012

Northern Melbourne Institute of TAFE — Report 2012

RMIT University — Report 2012

South West Institute of TAFE — Report 2012

Statutory Rule under the *Victorian Civil and Administrative Tribunal Act 1998* — SR 38

Sunraysia Institute of TAFE — Report 2012

Swinburne University of Technology — Report 2012

Victoria University — Report 2012

William Angliss Institute of TAFE — Report 2012

Wodonga Institute of TAFE — Report 2012.

- 17 **ACCOUNTABILITY AND OVERSIGHT COMMITTEE** — The Speaker announced that he had received the resignation of Mr O'Donohue, MLC, from the Accountability and Oversight Committee, effective from today.
- 18 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 7 May 2013 (*Ms Asher*) — put and agreed to.
- 19 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 20 **FORTIFICATION REMOVAL BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 2 May 2013.

- 21 **HEAVY VEHICLE NATIONAL LAW APPLICATION BILL 2013** — *Mr Mulder tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 2 May 2013.

- 22 **INTEGRITY LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 23 **QUESTIONS** — (Under SO 55).

- 24 **INTEGRITY LEGISLATION AMENDMENT BILL 2013** — Resumption of debate on question — That this Bill be now read a second time.

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

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

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

Rail Safety National Law Application Bill 2013

Transport Legislation Amendment (Rail Safety Local Operations and Other Matters) Bill 2013.

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

- 27 **ADOPTION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words '(a) this House refuses to read this Bill a second time until consultation has occurred with representatives of affected mothers' and fathers' groups on contact statements, vetos, and criminal sanctions; and (b) this Bill be withdrawn and redrafted to express the concerns of these groups' (*Ms Allan*) — and, after debate —

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 16 April 2013 had expired.

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

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Mr Shaw; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

The Speaker announced that, to allow the House to consider the bill in its original form, he cast his vote with the ayes.

Question agreed to.

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

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

Bill sent to the Legislative Council and their agreement requested.

- 28 **WATER LEGISLATION AMENDMENT BILL 2012** — Order read for the consideration of the amendments made by the Legislative Council.

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

Message sent to the Legislative Council informing them accordingly.

- 29 **PARLIAMENTARY COMMITTEES AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 30 **CORRECTIONS FURTHER AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 31 **INTEGRITY LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

Bill sent to the Legislative Council and their agreement requested.

- 32 **GAMBLING REGULATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 4.14 pm under sessional orders.

- 33 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.59 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 128, 129 and 130

No 128 — Tuesday 7 May 2013

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **RETURN TO WRIT** — The Speaker announced that he had received a return to the writ issued on 5 March 2013 which states that Martin Philip Pakula has been elected for the Electoral District of Lyndhurst.
- 3 **MEMBER SWORN** — Martin Philip Pakula was then introduced and took and subscribed the oath required by law.
- 4 **DEATH OF PETER WOLSELEY GARRISON** — The Speaker announced the death of Peter Wolseley Garrison, Member of the Legislative Assembly for the Electoral District of Hawthorn from 1958 to 1964; and members rose in their places as a mark of respect to the memory of the deceased.
- 5 **QUESTIONS** — (Under SO 55).
- 6 **ELECTORAL COMMISSIONER** — The Speaker advised that, on 29 April 2013, he administered to Warwick Gately, the Electoral Commissioner, the oath required by s 16 of the *Electoral Act 2002*.
- 7 **STATE TAX LAWS AMENDMENT (BUDGET AND OTHER MEASURES) BILL 2013** — Mr O'Brien obtained leave to bring in a Bill '*for an Act to amend the Congestion Levy Act 2005, the Duties Act 2000, the Fire Services Property Levy Act 2012, the First Home Owner Grant Act 2000, the Liquor Control Reform Act 1998, the Payroll Tax Act 2007, the Taxation Administration Act 1997 and the Water Act 1989 and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **BUILDING AND PLANNING LEGISLATION AMENDMENT (GOVERNANCE AND OTHER MATTERS) BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the Building Act 1993 to establish the Victorian Building Authority, to improve generally the regulation of building practitioners and plumbers, to amend the Architects Act 1991 and other Acts, and to amend the Planning and Environment Amendment (General) Act 2013 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **MARINE (DOMESTIC COMMERCIAL VESSEL NATIONAL LAW APPLICATION) BILL 2013** — Mr Hodggett obtained leave to bring in a Bill '*for an Act to adopt in Victoria a national approach to the regulation of marine safety in relation to domestic commercial vessels, to make consequential amendments to the Marine Safety Act 2010, to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 10 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

St Albans Railway Station — Requesting that the Legislative Assembly urges the Government to fund the promised grade separation of St Albans railway crossing immediately, bearing 1034 signatures (*Ms Kairouz*)

Ordered to be tabled.

- 11 **PETITION — ST ALBANS RAILWAY STATION** — Motion made and question — That the petition presented by the Member for Kororoit be taken into consideration tomorrow (*Ms Kairouz*) — put and agreed to.

12 **DOCUMENTS**

BUDGET PAPERS 2013–14 —

Budget Paper No 1 — Treasurer's Speech
 Budget Paper No 4 — State Capital Program
 Budget Overview
 Budget Information Paper No 1 — Regional and Rural Victoria
 Budget Information Paper No 2 — Infrastructure Investment
 Budget Information Paper No 3 — Federal Financial Relations

tabled by leave (*Mr O'Brien*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 6 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Aboriginal Lands Amendment Bill 2013
 Bail Amendment Bill 2013
 Education and Training Reform Amendment (School Attendance) Bill 2013
 Fortification Removal Bill 2013
 Heavy Vehicle National Law Application Bill 2013
 Justice Legislation Amendment Bill 2013
 Residential Tenancies Amendment (Rooming House Standards) Bill 2013
 Sentencing Amendment (Abolition of Suspended Sentences and Other Matters) Bill 2013
 Sustainable Forests (Timber) Amendment Bill 2013

together with appendices.

Ordered to be tabled and printed.

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

Anti-Cancer Council Victoria — Report 2012

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Euroa Public Park Reserve

Financial Management Act 1994:

Budget Paper No 2 — Strategy and Outlook 2013–14
 Budget Paper No 3 — Service Delivery 2013–14
 Budget Paper No 5 — Statement of Finances 2013–14 incorporating Quarterly Financial Report No 3

Planning and Environment Act 1987:

Amendment 120 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan
 Notices of approval of amendments to the following Planning Schemes:

Ballarat — C151, C157, C161
 Baw Baw — C99
 Boroondara — C167, C171

Campaspe — C97
 Cardinia — C167, C182
 Darebin — C126, C129
 East Gippsland — C107
 Frankston — C90, C92
 Greater Bendigo — C162 Part 1
 Greater Dandenong — C150
 Hume — C137, C157, C167
 Knox — C127
 Latrobe — C75
 Maroondah — C74
 Melbourne — C205, C216
 Mildura — C51
 Mitchell — C88
 Monash — C118
 Moonee Valley — C112
 Mornington Peninsula — C163 Part 1, C165
 Queenscliffe — C23
 South Gippsland — C50
 Warrnambool — C68
 Whittlesea — C163, C173
 Victoria Planning Provisions — VC95

Statutory Rules under the following Acts:

Bail Act 1977 — SR 39
Evidence Act 2008 — SR 46
Family Violence Protection Act 2008 — SR 40
Planning and Environment Act 1987 — SR 42
Retail Leases Act 2003 — SR 41
Road Safety Act 1986 — SR 44
Subdivision Act 1988 — SR 43
Supreme Court Act 1986 — SR 48
Tobacco Act 1987 — SR 47
Victorian Civil and Administrative Tribunal Act 1998 — SR 45

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 38, 39, 40, 41, 42, 43, 44, 47, 48

Documents under s 16B in relation to:

Education and Training Reform Act 2006:

Commercial Guidelines — TAFE Institutions

Strategic Planning Guidelines — TAFE Institutes

Port Management Act 1995 — Revocation and declaration of part of a port that has been declared a commercial trading port to be a local port

Road Safety Act 1986 — Cost recovery fee for participants in the safe driving program.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Corrections Amendment Act 2013 — Whole Act (except ss 4(2), 5, 6, 7, 20, 21 and 36(2)) — 30 April 2013 (*Gazette S141, 16 April 2013*)

Courts Legislation Amendment (Reserve Judicial Officers) Act 2013 — Sections 62, 63 and 64 — 17 April 2013 (*Gazette S141, 16 April 2013*)

Education and Care Services National Law Act 2010 — Remaining provisions of the Education and Care Services National Law set out in the Schedule — 1 May 2013 (*Gazette S156, 23 April 2013*)

Education and Training Reform Amendment (Skills) Act 2010 — Section 55(3) — 17 April 2013 (*Gazette S141, 16 April 2013*)

Education and Training Reform Amendment (Teacher Registration and Other Matters) Act 2013 — Remaining provisions — 1 May 2013 (*Gazette S163, 30 April 2013*)

Energy Legislation Amendment (Flexible Pricing and Other Matters) Act 2013 — Whole Act — 18 April 2013 (*Gazette S141, 16 April 2013*)

Justice Legislation Amendment (Cancellation of Parole and Other Matters) Act 2013 — Remaining provisions — 20 May 2013 (*Gazette S141, 16 April 2013*)

Justice Legislation Amendment (Family Violence and Other Matters) Act 2012 — Sections 5 to 12 and 31 — 17 April 2013 (*Gazette S141, 16 April 2013*); remaining provisions — 15 May 2013 (*Gazette S156, 23 April 2013*)

Residential Tenancies Amendment Act 2012 — Remaining provisions — 1 May 2013 (*Gazette S163, 30 April 2013*)

Sentencing Amendment (Community Correction Reform) Act 2011 — Sections 55, 58, 59 and 70 — 1 May 2013; ss 56, 57, 60 and 69 — 30 June 2013 (*Gazette S156, 23 April 2013*).

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

Company Titles (Home Units) Bill 2013

Crimes Amendment (Integrity in Sports) Bill 2013

Planning and Environment Amendment (Growth Areas Authority and Miscellaneous) Bill 2013.

- 14 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 23 April 2013, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Alpine Resorts and National Parks Acts Amendment Bill 2013

Assisted Reproductive Treatment Amendment Bill 2012

Company Titles (Home Units) Bill 2013

Crimes Amendment (Integrity in Sports) Bill 2013

Planning and Environment Amendment (Growth Areas Authority and Miscellaneous) Bill 2013

Rail Safety National Law Application Bill 2013

Transport Legislation Amendment (Rail Safety Local Operations and Other Matters) Bill 2013

Water Legislation Amendment Bill 2012.

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

Aboriginal Lands Amendment Bill 2013

Bail Amendment Bill 2013

Education and Training Reform Amendment (School Attendance) Bill 2013

Fortification Removal Bill 2013.

- 16 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (2013–2014) Bill 2013, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 2013/2014.

Estimates ordered to be tabled.

- 17 **APPROPRIATION (2013–2014) BILL 2013** — Mr O'Brien obtained leave to bring in a Bill '*for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2013/2014 and for other purposes*'; and the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

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

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

Ordered — That the debate be adjourned until Thursday 9 May 2013.

- 18 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (Parliament 2013–2014) Bill 2013, and accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 2013/2014.

Estimates ordered to be tabled.

- 19 **APPROPRIATION (PARLIAMENT 2013–2014) BILL 2013** — Mr O'Brien obtained leave to bring in a Bill *'for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2013/2014 and for other purposes'*; and the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

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

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

Ordered — That the debate be adjourned until Tuesday 21 May 2013.

- 20 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — Motion made, by leave, and question — That Mr Pakula be appointed a member of the Public Accounts and Estimates Committee (*Ms Asher*) — put and agreed to.

- 21 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 9 May 2013:

Aboriginal Lands Amendment Bill 2013

Heavy Vehicle National Law Application Bill 2013

Justice Legislation Amendment Bill 2013

Sentencing Amendment (Abolition of Suspended Sentences and Other Matters) Bill 2013

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

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

- 23 **ABORIGINAL LANDS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 24 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — The Speaker announced the receipt of a message from the Legislative Council proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat

in the Legislative Council rendered vacant by the resignation of Martin Philip Pakula and that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday 8 May 2013 at 6.15 pm.

Ordered — That the message be taken into consideration immediately.

Motion made and question — That this House meets the Legislative Council for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Martin Philip Pakula and, as proposed by the Legislative Council, agrees that the place and time of this meeting be the Legislative Assembly Chamber on Wednesday 8 May 2013 at 6.15 pm (*Mr Walsh*) — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 25 **SUSTAINABLE FORESTS (TIMBER) AMENDMENT BILL 2013** — The Acting Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the Sustainable Forests (Timber) Act 2004 and the Traditional Owner Settlement Act 2010 and for other purposes*'.

On the motion of Mr Walsh, the Bill was read a first time and ordered to be read a second time tomorrow.

- 26 **HEAVY VEHICLE NATIONAL LAW APPLICATION BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

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

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 129 — Wednesday 8 May 2013

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

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

Bus Routes 416 and 493 — Requesting that the Legislative Assembly urges the Government to — (a) not cancel bus route 416; (b) enhance new bus route 493 to start from the corner of Boardwalk Boulevard and Sneydes Road or Point Cook South instead of terminating the service at Victoria University; and (c) change all buses going via Boardwalk Boulevard to go via Hacketts Road so that all existing bus stops on Sneydes Road (Point Cook) and Pearce Grove/Sneydes Road (Point Cook) are connected to some bus service, bearing 77 signatures (*Ms Hennessy*)

Bus Routes 413, 416 and 446 — Requesting that the Legislative Assembly urges the Government to reverse the cuts of the 413, 416 and the alteration to the 446 bus services, bearing 108 signatures (*Ms Hennessy*)

Gippsland South Region Roads and Highways — Requesting that the Legislative Assembly urges the Government to direct the setting up of an urgent plan of action, backed by sufficient funding to undertake the necessary work on badly maintained roads in South Gippsland, bearing 4265 signatures (*Mr Ryan*)

Cuts to TAFE funding — Requesting that the Legislative Assembly urges the Government to abandon the planned TAFE funding cuts and ensure that no further cuts will be made, bearing 128 signatures (*Mr Carroll*)

Kennett River Amenities — Requesting that the Legislative Assembly urges the Government to provide Kennett River with adequate public amenities in this high tourism destination, bearing 1431 signatures (*Mr Katos*).

Petitions ordered to be tabled.

3 **PETITION — BUS ROUTES 416 AND 493** — Motion made and question — That the petition presented by the Member for Altona be taken into consideration tomorrow (*Ms Hennessy*) — put and agreed to.

4 **PETITION — BUS ROUTES 413, 416 AND 446** — Motion made and question — That the petition presented by the Member for Altona be taken into consideration tomorrow (*Ms Hennessy*) — put and agreed to.

5 **PETITION — KENNETT RIVER AMENITIES** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

6 **PETITION — CUTS TO TAFE FUNDING** — Motion made and question — That the petition presented by the Member for Niddrie be taken into consideration tomorrow (*Mr Carroll*) — put and agreed to.

7 DOCUMENTS

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Morris, Chair, presented a report from the Public Accounts and Estimates Committee on the 2011–12 Financial and Performance Outcomes, together with appendices.

Ordered to be tabled and printed.

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

Auditor-General — Planning, Delivery and Benefits Realisation of Major Asset Investment: The Gateway Review Process — Ordered to be printed.

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Adoption Amendment Bill 2013 without amendment.

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

10 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT POLICY AND FUNDING ANNOUNCEMENTS** — The House was informed that Dr Naphine had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

"That this House congratulates the Liberal Nationals Coalition Government for its many recent policy and funding announcements which will continue to ensure the provision of first class services to

Victorian families and businesses, reflecting the record levels of infrastructure investment and program funding being undertaken by the Government as it continues to build for growth.'

Dr Napthine addressed the House — Discussion followed.

- 11 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry into Liveability Options in Outer Suburban Melbourne

Public Accounts and Estimates Committee's Report on the 2011–12 Financial and Performance Outcomes

Rural and Regional Committee's Report on the Inquiry into the Impact of Food Safety Regulation on Farms and Other Businesses

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2010 Victorian state election and matters related thereto.

- 12 **BUILDING AND PLANNING LEGISLATION AMENDMENT (GOVERNANCE AND OTHER MATTERS) BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 22 May 2013.

- 13 **SUSTAINABLE FORESTS (TIMBER) AMENDMENT BILL 2013** — *Mr Walsh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 22 May 2013.

Business having been interrupted at 2.00 pm under standing orders.

- 14 **QUESTIONS** — (Under SO 55).

- 15 **STATE TAX LAWS AMENDMENT (BUDGET AND OTHER MEASURES) BILL 2013** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 22 May 2013.

- 16 **MARINE (DOMESTIC COMMERCIAL VESSEL NATIONAL LAW APPLICATION) BILL 2013** — *Mr Hodggett tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Hodggett*).
- Motion made and question — That the debate be now adjourned (*Mr Madden*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 22 May 2013.
- 17 **JUSTICE LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 18 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met today with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of Martin Philip Pakula and that Cesar Melhem has been duly chosen to hold the vacant place.
- 19 **SENTENCING AMENDMENT (ABOLITION OF SUSPENDED SENTENCES AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 10.00 pm under sessional orders.*
- 20 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.50 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 130 — Thursday 9 May 2013

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PARLIAMENTARY AND PUBLIC ADMINISTRATION LEGISLATION AMENDMENT BILL 2013** — Ms Asher obtained leave to bring in a Bill '*for an Act to amend the **Parliamentary Salaries and Superannuation Act 1968**, the **Public Administration Act 2004** and the **Parliamentary Administration Act 2005**, to consequentially amend the **Constitution Act 1975** and the **Parliamentary Committees Act 2003** and for other purposes*'; and the Bill was read a first time and, by leave, ordered to be read a second time later this day.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Funding for the VET and VCAL Programs** — Requesting that the Legislative Assembly urges the Government to guarantee no further cuts to education funding will be made in the upcoming 2013–14 budget, bearing 1 signature (*Ms Garrett*)

Funding to Health Services — Requesting that the Legislative Assembly urges the Government to immediately restore funding to regional health services, after hours emergency departments and elective surgery and deliver the promised hospital beds, bearing 527 signatures (*Ms Garrett*)

Limitation of Actions Act 1958 Sections 27E, 27I and 27J — Requesting that the Legislative Assembly urges the Government to make appropriate amendments to the *Limitation of Actions Act 1958* so that it is always just, reasonable and allowable to pursue damages for claims against perpetrators of torture, rape, child slave labour and false imprisonment, bearing 710 signatures (*Mr Shaw*)

St Patrick's Primary School Crossing Supervisors — Requesting that the Legislative Assembly urges the Government to ensure that St Patrick's Primary School, Geelong West is allocated one of the extra 20 school crossing supervisors in the City of Greater Geelong for 2013–14, bearing 759 signatures (*Mr Trezise*)

Cuts to TAFE Funding — Requesting that the Legislative Assembly urges the Government to abandon the planned TAFE funding cuts and ensure that no further cuts will be made, bearing 206 signatures (*Mr Carbines*)

'VicSmart' Legislation — Requesting that the Legislative Assembly urges the Government to withdraw the radical reshaping of the Planning Act that will remove community consultation from the development approval process and to rethink, consult with the community and ensure that any proposal protects and improves rather than destroys the neighbourhood, bearing 12 signatures (*Mr Carbines*)

City of Melton General Practitioners — Requesting that the Legislative Assembly urges the Government to request the Department of Health and Ageing to provide an exception under s 19AB of the Health Insurance Act 1973 (Cth) to enable doctors to obtain provider numbers for the City of Melton, bearing 1108 signatures (*Mr Nardella*)

Brooklyn Industrial Precinct — Requesting that the Legislative Assembly urges the Government to support the coordination and implementation of 'the Brooklyn Evolution' strategy, bearing 403 signatures (*Mr Noonan*).

Petitions ordered to be tabled.

- 4 **PETITION — FUNDING FOR THE VET AND VCAL PROGRAMS** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Ms Garrett*) — put and agreed to.
- 5 **PETITION — FUNDING TO HEALTH SERVICES** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Ms Garrett*) — put and agreed to.
- 6 **PETITION — CUTS TO TAFE FUNDING** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.
- 7 **PETITION — 'VICSMART' LEGISLATION** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.
- 8 **PETITION — LIMITATION OF ACTIONS ACT 1958 SECTIONS 27E, 27I AND 27J** — Motion made and question — That the petition presented by the Member for Frankston be taken into consideration tomorrow (*Mr Shaw*) — put and agreed to.

- 9 **PETITION — ST PATRICK'S PRIMARY SCHOOL CROSSING SUPERVISORS** — Motion made and question — That the petition presented by the Member for Geelong be taken into consideration tomorrow (*Mr Trezise*) — put and agreed to.
- 10 **PETITION — CITY OF MELTON GENERAL PRACTITIONERS** — Motion made and question — That the petition presented by the Member for Melton be taken into consideration tomorrow (*Mr Nardella*) — put and agreed to.
- 11 **PETITION — BROOKLYN INDUSTRIAL PRECINCT** — Motion made and question — That the petition presented by the Member for Williamstown be taken into consideration tomorrow (*Mr Noonan*) — put and agreed to.
- 12 **DOCUMENTS**
- COMMUNITY VISITORS REPORT 2011–12** — Government response tabled by leave (*Ms Wooldridge*).
- DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Coroners Court of Victoria — Report 2011–12
- Ombudsman — *Whistleblowers Protection Act 2001*: Investigation into allegations of improper conduct by a Magistrates' Court registrar — Ordered to be printed
- Statutory Rules under the following Acts:
- Children, Youth and Families Act 2005* — SR 51
Drugs, Poisons and Controlled Substances Act 1981 — SR 50
Residential Tenancies Act 1997 — SR 49
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rules 49, 51.
- 13 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 28 May 2013 (*Ms Asher*) — put and agreed to.
- 14 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 15 **APPROPRIATION (2013–2014) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 2.00 pm under standing orders.*
- 16 **QUESTIONS** — (Under SO 55).
- 17 **APPROPRIATION (2013–2014) BILL 2013** — Debate continued on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Mr Madden*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 18 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:
- Integrity Legislation Amendment Bill 2013

Parliamentary Committees Amendment Bill 2013.

- 19 **PARLIAMENTARY AND PUBLIC ADMINISTRATION LEGISLATION AMENDMENT BILL 2013** — *Ms Asher tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 23 May 2013.

- 20 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Gambling Regulation Amendment Bill 2013 without amendment.

- 21 **APPROPRIATION (2013–2014) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 7 May 2013 had expired.

- 22 **HEAVY VEHICLE NATIONAL LAW APPLICATION BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 23 **SENTENCING AMENDMENT (ABOLITION OF SUSPENDED SENTENCES AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 24 **JUSTICE LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 25 **ABORIGINAL LANDS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 26 **SENTENCING AMENDMENT (ABOLITION OF SUSPENDED SENTENCES AND OTHER MATTERS) BILL 2013** — The Speaker announced that he had received a report from the Clerk that he has made the following corrections in the Bill:

In Clause 47, page 44, line 7, he has deleted '4' and inserted '2'

In Clause 47, page 45, line 32, he has deleted '3' and inserted '2'.

Business having been interrupted at 4.02 pm under sessional orders.

- 27 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.40 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 131, 132 and 133

No 131 — Tuesday 28 May 2013

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

2 **QUESTIONS** — (Under SO 55).

3 **BORROWING AND INVESTMENT POWERS AMENDMENT BILL 2013** — Mr O'Brien obtained leave to bring in a Bill '*for an Act to amend the **Borrowing and Investment Powers Act 1987** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

4 **CATCHMENT AND LAND PROTECTION AMENDMENT BILL 2013** — Mr Walsh obtained leave to bring in a Bill '*for an Act to amend the **Catchment and Land Protection Act 1994** to further provide for the management of weeds and pest animals on roadsides and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

5 **NATIONAL PARKS AMENDMENT (LEASING POWERS AND OTHER MATTERS) BILL 2013** — Mr Smith (*Warrandyte*) obtained leave to bring in a Bill '*for an Act to amend the **National Parks Act 1975** in relation to leases and licences, to provide further regulation making powers and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **TRANSPORT LEGISLATION AMENDMENT (FOUNDATION TAXI AND HIRE CAR REFORMS) BILL 2013** — Mr Mulder obtained leave to bring in a Bill '*for an Act to amend the **Transport (Compliance and Miscellaneous) Act 1983**, the **Essential Services Commission Act 2001**, the **Transport Integration Act 2010** and the **Transport Legislation Amendment (Taxi Services Reform and Other Matters) Act 2011**, to make consequential amendments to the **Accident Compensation Act 1985** and the **Road Safety Act 1986** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

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

Upgrade of Intersection in Ringwood — Requesting that the Legislative Assembly urges the Government to support an investigation into speed adjustment and traffic lights at the crossroad junction of Great Ryrie Street-Bedford Road T-intersection and railway crossing Ringwood, bearing 1228 signatures (*Mrs Victoria*)

Health Services Cuts to Geelong Hospital — Requesting that the Legislative Assembly urges the Government to immediately restore funding to essential health services at the Geelong Hospital and deliver the promised hospital beds, bearing 1046 signatures (*Ms Neville*)

Condition of the Warburton Highway — Requesting that the Legislative Assembly urges the Government to improve the inadequate condition of Warburton Highway between Lilydale and Warburton, by reviewing and immediately implementing strategies in the short, medium and long term, bearing 843 signatures (*Mrs Fyffe*).

Petitions ordered to be tabled.

8 **PETITION — CONDITION OF THE WARBURTON HIGHWAY** — Motion made and question — That the petition presented by the Member for Evelyn be taken into consideration tomorrow (*Mrs Fyffe*) — put and agreed to.

9 **PETITION — HEALTH SERVICES CUTS TO GEELONG HOSPITAL** — Motion made and question — That the petition presented by the Member for Bellarine be taken into consideration tomorrow (*Ms Neville*) — put and agreed to.

10 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 7 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Appropriation (2013–2014) Bill 2013
 Appropriation (Parliament 2013–2014) Bill 2013
 Building and Planning Legislation Amendment (Governance and Other Matters) Bill 2013
 Fortification Removal Bill 2013
 Heavy Vehicle National Law Application Bill 2013
 Marine (Domestic Commercial Vessel National Law Application) Bill 2013
 Parliamentary and Public Administration Legislation Amendment Bill 2013
 Sentencing Amendment (Abolition of Suspended Sentences and Other Matters) Bill 2013
 State Tax Laws Amendment (Budget and Other Measures) Bill 2013

together with appendices.

Ordered to be tabled and printed.

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

Parliamentary Committees Act 2003:

Government response to the Economic Development and Infrastructure Committee's Report on the Inquiry into greenfields mineral exploration and project development in Victoria
 Government response to the Environment and Natural Resources Committee's Report on the Inquiry into the establishment and effectiveness of Registered Aboriginal Parties

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

Ballarat — C141, C156
 Bayside — C100, C102
 Campaspe — C87
 Glen Eira — C78, C100 Part 1
 Greater Geelong — C223, C253, C254, C275, C287
 Greater Shepparton — C160
 Hobsons Bay — C77
 Horsham — C55
 Knox — C117
 Macedon Ranges — C64
 Melbourne — C211
 Mildura — C67
 Mitchell — C79
 Moira — C56
 Nillumbik — C63
 Port Phillip — C89

Strathbogie — C28 Part 2
 West Wimmera — C29
 Whitehorse — C143
 Whittlesea — C146, C168
 Yarra — C167, C171
 Yarra Ranges — C97, C103 Part 2, C127

Professional Standards Act 2003 — Instrument amending the Law Institute of Victoria Limited Scheme under s 14 (*Gazette S164, 1 May 2013*)

Statutory Rules under the following Acts:

Assisted Reproductive Treatment Act 2008 — SR 52
Transfer of Land Act 1958 — SR 54
Victorian Civil and Administrative Tribunal Act 1998 — SR 53

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 45, 46, 50, 52
 Documents under s 16B in relation to:
Electronic Conveyancing (Adoption of National Law) Act 2013:
 Electronic Conveyancing Operating Requirements
 Electronic Conveyancing Participation Rules
Victorian Energy Efficiency Target Act 2007 — Declaration of discount factor
Water Act 1989 — By-law No 1 Recreational Areas — Goulburn-Murray Water Corporation.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Assisted Reproductive Treatment Amendment Act 2013 — Remaining provisions — 28 May 2013 (*Gazette S180, 21 May 2013*)
Crimes Amendment (Gross Violence Offences) Act 2013 — Whole Act — 1 July 2013 (*Gazette S180, 21 May 2013*)
Major Sporting Events Amendment Act 2013 — Whole Act — 15 May 2013 (*Gazette S175, 15 May 2013*)
Transport Legislation Amendment (Taxi Services Reform and Other Matters) Act 2011 — Sections 112(3), 113, 114 and 121 — 26 May 2013 (*Gazette S180, 21 May 2013*).

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Corrections Further Amendment Bill 2013 without amendment.

12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 15 May 2013, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Adoption Amendment Bill 2013
 Corrections Further Amendment Bill 2013
 Gambling Regulation Amendment Bill 2013
 Integrity Legislation Amendment Bill 2013
 Parliamentary Committees Amendment Bill 2013.

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

Marine (Domestic Commercial Vessel National Law Application) Bill 2013
 Parliamentary and Public Administration Legislation Amendment Bill 2013

State Tax Laws Amendment (Budget and Other Measures) Bill 2013.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 30 May 2013:

Building and Planning Legislation Amendment (Governance and Other Matters) Bill 2013
 Energy Legislation Amendment (Feed-in Tariffs and Other Matters) Bill 2013
 Marine (Domestic Commercial Vessel National Law Application) Bill 2013
 Parliamentary and Public Administration Legislation Amendment Bill 2013

(*Ms Asher*) — after debate, put.

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

AYES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 43

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pakula; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

- 15 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 16 **MARINE (DOMESTIC COMMERCIAL VESSEL NATIONAL LAW APPLICATION) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the Victorian regulations have been formulated, following appropriate consultation with stakeholders' (*Ms Hutchins*) — and, after debate —

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

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

- 17 **BUILDING AND PLANNING LEGISLATION AMENDMENT (GOVERNANCE AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Heavy Vehicle National Law Application Bill 2013 without amendment.
- 19 **ENERGY LEGISLATION AMENDMENT (FEED-IN TARIFFS AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 20 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 4 be postponed until later this day.
- 21 **APPROPRIATION (2013–2014) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 10.00 pm under sessional orders.*
- 22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.58 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 132 — Wednesday 29 May 2013

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Ambulance Coverage in Ballarat** — Requesting that the Legislative Assembly urges the Government to immediately address the failure to provide Ballarat with the continuous coverage of professional paramedic services, bearing 170 signatures (*Ms Knight*)
- Health Services Cuts to Geelong Hospital** — Requesting that the Legislative Assembly urges the Government to immediately restore funding to essential health services at the Geelong Hospital and deliver the promised hospital beds, bearing 21 signatures (*Ms Neville*)
- TAFE Funding Impacts** — Requesting that the Legislative Assembly urges the Government to require the Education and Training Committee conducts an inquiry into the impacts of the changes to TAFE funding, specifically addressing the impact on access to vocational education for disadvantaged youth and employment outcomes as a result of the changes, bearing 149 signatures (*Mr Herbert*)
- Chandler Highway Bridge** — Requesting that the Legislative Assembly urges the Government to provide funding for, and give a commitment to, the duplication of the Chandler Highway Bridge, bearing 545 signatures (*Mr Carbines*).

Petitions ordered to be tabled.

3 **PETITION — AMBULANCE COVERAGE IN BALLARAT** — Motion made and question — That the petition presented by the Member for Ballarat West be taken into consideration tomorrow (*Ms Knight*) — put and agreed to.

4 **PETITION — CHANDLER HIGHWAY BRIDGE** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.

5 **PETITION — TAFE FUNDING IMPACTS** — Motion made and question — That the petition presented by the Member for Eltham be taken into consideration tomorrow (*Mr Herbert*) — put and agreed to.

6 **DOCUMENTS**

LAW REFORM COMMITTEE — Mr Newton-Brown, Chair, presented a report from the Law Reform Committee on the Inquiry into Sexting, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices printed.

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

Auditor-General:

Management of Staff Occupational Health and Safety in Schools — Ordered to be printed
Tertiary Education and Other Entities: Results of the 2012 Audits — Ordered to be printed
The State of Victoria's Children: Performance Reporting — Ordered to be printed.

7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Sentencing Amendment (Abolition of Suspended Sentences and Other Matters) Bill 2013 without amendment.

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

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

10 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2011–12 Financial and Performance Outcomes

Public Accounts and Estimates Committee's Report on the Inquiry into Effective Decision Making for the Successful Delivery of Significant Infrastructure Projects

Law Reform Committee's Report on the Inquiry into Sexting.

11 **TRANSPORT LEGISLATION AMENDMENT (FOUNDATION TAXI AND HIRE CAR REFORMS) BILL 2013** — *Mr Mulder tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 12 June 2013.

- 12 **NATIONAL PARKS AMENDMENT (LEASING POWERS AND OTHER MATTERS) BILL 2013** — *Mr Smith (Warrandyte) tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 12 June 2013.

Business having been interrupted at 2.00 pm under standing orders.

- 13 **QUESTIONS** — (Under SO 55).

- 14 **CATCHMENT AND LAND PROTECTION AMENDMENT BILL 2013** — *Mr Walsh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 12 June 2013.

- 15 **BORROWING AND INVESTMENT POWERS AMENDMENT BILL 2013** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 12 June 2013.

- 16 **APPROPRIATION (2013–2014) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 17 **PARLIAMENTARY AND PUBLIC ADMINISTRATION LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 18 **APPROPRIATION (2013–2014) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.52 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 133 — Thursday 30 May 2013

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

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

Bus Routes 413, 414 and 416 — Requesting that the Legislative Assembly urges the Government to reverse the cuts of the 413, 414 and the alteration to the 416 bus services, bearing 105 signatures (*Ms Hennessy*)

Bus Routes 413, 416 and 446 — Requesting that the Legislative Assembly urges the Government to reverse the cuts of the 413, 416 and the alteration to the 446 bus services, bearing 394 signatures (*Ms Hennessy*)

Chandler Highway Bridge — Requesting that the Legislative Assembly urges the Government to provide funding for, and give a commitment to, the duplication of the Chandler Highway Bridge, bearing 706 signatures (*Ms Richardson*).

Petitions ordered to be tabled.

- 3 **PETITION — BUS ROUTES 413, 414 AND 416** — Motion made and question — That the petition presented by the Member for Altona be taken into consideration tomorrow (*Ms Hennessy*) — put and agreed to.

- 4 **PETITION — BUS ROUTES 413, 416 AND 446** — Motion made and question — That the petition presented by the Member for Altona be taken into consideration tomorrow (*Ms Hennessy*) — put and agreed to.

- 5 **PETITION — CHANDLER HIGHWAY BRIDGE** — Motion made and question — That the petition presented by the Member for Northcote be taken into consideration tomorrow (*Ms Richardson*) — put and agreed to.

- 6 **DOCUMENTS**

DEED OF RELEASE — Sunland Waterfront (BVI) Ltd, Sunland Group Limited, Anthony Joseph Brearley tabled by leave (*Mr Pallas*).

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

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Summary Offences Act 1966* — Notice of Declared Area.

- 7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 11 June 2013 (*Ms Asher*) — put and agreed to.

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

9 **APPROPRIATION (2013–2014) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Returning the Justice Legislation Amendment Bill 2013 and suggesting amendments.

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

11 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Justice Legislation Amendment Bill 2013.

12 **JUSTICE LEGISLATION AMENDMENT BILL 2013** — Order read for the consideration of the amendments suggested by the Legislative Council.

On the motion of Mr Clark and, after debate — suggested amendments made.

Bill returned to the Legislative Council with a message informing them accordingly.

13 **APPROPRIATION (2013–2014) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

14 **QUESTIONS** — (Under SO 55).

15 **APPROPRIATION (2013–2014) BILL 2013** — Debate resumed on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 28 May 2013 had expired.

16 **PARLIAMENTARY AND PUBLIC ADMINISTRATION LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

17 **MARINE (DOMESTIC COMMERCIAL VESSEL NATIONAL LAW APPLICATION) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the Victorian regulations have been formulated, following appropriate consultation with stakeholders'.

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

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

AYES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 43

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pakula; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

Bill sent to the Legislative Council and their agreement requested.

- 18 **BUILDING AND PLANNING LEGISLATION AMENDMENT (GOVERNANCE AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 19 **ENERGY LEGISLATION AMENDMENT (FEED-IN TARIFFS AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 4.06 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.51 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 134, 135 and 136

No 134 — Tuesday 11 June 2013

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

2 **QUESTIONS** — (Under SO 55).

3 **ACTING OMBUDSMAN** — The Speaker advised that today he administered to John Taylor, the Acting Ombudsman, the oath required by s 10 of the *Ombudsman Act 1973*.

4 **ROAD SAFETY AND SENTENCING ACTS AMENDMENT BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the Road Safety Act 1986, the Marine (Drug, Alcohol and Pollution Control) Act 1988, the Magistrates' Court Act 1989, the Sentencing Act 1991, the Criminal Procedure Act 2009 and the Sentencing Amendment (Community Correction Reform) Act 2011 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **ROAD LEGISLATION AMENDMENT (USE AND DISCLOSURE OF INFORMATION AND OTHER MATTERS) BILL 2013** — Mr Mulder obtained leave to bring in a Bill '*for an Act to amend the Road Safety Act 1986 and other Acts in relation to the use and disclosure of information and other matters and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **MAJOR TRANSPORT PROJECTS FACILITATION AMENDMENT (EAST WEST LINK AND OTHER PROJECTS) BILL 2013** — Mr Mulder obtained leave to bring in a Bill '*for an Act to amend the Major Transport Projects Facilitation Act 2009 to facilitate the East West Link project and other major transport projects by reducing procedural delays and red tape, to amend the Transport Integration Act 2010 to improve the operation of that Act and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Students with Dyslexia — Requesting that the Legislative Assembly urges the Government to introduce, debate and pass relevant laws, or act under existing law and policy, to recognise dyslexia as a 'learning disability', to enable financial and other assistance to be given to government and non-government schools to deliver effective learning support, including specialist teachers, additional support staff, literacy programs and assistive technology to students, bearing 522 signatures (*Mr Brooks*).

Ordered to be tabled.

8 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 8 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Borrowing and Investment Powers Amendment Bill 2013

Catchment and Land Protection Amendment Bill 2013

Justice Legislation Amendment Act 2013

National Parks Amendment (Leasing Powers and Other Matters) Bill 2013

Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Bill 2013

together with appendices.

Ordered to be tabled and printed.

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

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Yarra Bend Park Reserve

Parliamentary Committees Act 2003 — Government response to the Road Safety Committee's Report on the Inquiry into Motorcycle Safety

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

Banyule — C77
 Bayside — C98, C122
 Benalla — C27
 Boroondara — C173, C174
 Cardinia — C115
 Corangamite — C29
 Greater Bendigo — C199
 Monash — C93
 South Gippsland — C76
 Strathbogie — C59
 Wellington — C71, C77
 Whittlesea — C169
 Wyndham — C164
 Yarra Ranges — C109 Part 1

Statutory Rules under the following Acts:

Building and Construction Industry Security of Payment Act 2002 — SR 56
Conservation, Forests and Lands Act 1987 — SR 55

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 53, 54, 55, 56

Documents under s 16B in relation to:

Fire Services Property Levy Act 2012 — Notice under s 12, Determination of Levy Rates

Local Government Act 1989:

Prohibition of Declaration of Differential Rates Inconsistent with Ministerial Guidelines — All Councils

Prohibition of Declaration of Differential Rates Inconsistent with Ministerial Guidelines — Monash City Council

Prohibition of Declaration of Differential Rates Inconsistent with Ministerial Guidelines — Moonee Valley City Council

Racing Act 1958 — Harness Racing Victoria — Adoption of amendments to Victorian Local Rules of Harness Racing.

- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment Bill 2013, including the amendments made by the Legislative Assembly on the suggestion of the Legislative Council, without amendment.

- 10 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 4 June 2013, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Heavy Vehicle National Law Application Bill 2013
 Justice Legislation Amendment Bill 2013
 Sentencing Amendment (Abolition of Suspended Sentences and Other Matters) Bill 2013.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 13 June 2013:

Appropriation (2013–2014) Bill 2013
 Appropriation (Parliament 2013–2014) Bill 2013
 Borrowing and Investment Powers Amendment Bill 2013
 State Tax Laws Amendment (Budget and Other Measures) Bill 2013
 Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Bill 2013

(*Ms Asher*) — after debate, put.

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **APPROPRIATION (PARLIAMENT 2013–2014) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 14 **STATE TAX LAWS AMENDMENT (BUDGET AND OTHER MEASURES) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 15 **APPROPRIATION (2013–2014) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 16 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.51 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 135 — Wednesday 12 June 2013

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

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

Bus Routes 413, 414 and 416 — Requesting that the Legislative Assembly urges the Government to reverse the cuts of the 413, 414 and the alteration to the 416 bus services, bearing 125 signatures (*Ms Hennessy*)

Bus Routes 413, 416 and 446 — Requesting that the Legislative Assembly urges the Government to reverse the cuts of the 413, 416 and the alteration to the 446 bus services, bearing 80 signatures (*Ms Hennessy*)

Intensive Care Ambulance Paramedics — Requesting that the Legislative Assembly urges the Government to provide more funding for mobile intensive care ambulance paramedics who can then provide support for their fellow paramedics and administer an intensive level of care to the community when it is required, bearing 2292 signatures (*Ms Duncan*).

Petitions ordered to be tabled.

- 3 **PETITION — INTENSIVE CARE AMBULANCE PARAMEDICS** — Motion made and question — That the petition presented by the Member for Macedon be taken into consideration tomorrow (*Ms Duncan*) — put and agreed to.

- 4 **PETITION — BUS ROUTES 413, 414 AND 416** — Motion made and question — That the petition presented by the Member for Altona be taken into consideration tomorrow (*Ms Hennessy*) — put and agreed to.

- 5 **PETITION — BUS ROUTES 413, 416 AND 446** — Motion made and question — That the petition presented by the Member for Altona be taken into consideration tomorrow (*Ms Hennessy*) — put and agreed to.

- 6 **DOCUMENTS**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Morris, Chair, presented a report from the Public Accounts and Estimates Committee on the 2013–14 Budget Estimates Part One, together with transcripts of evidence.

Ordered to be tabled and the report printed.

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

Auditor-General:

Infection Prevention and Control in Public Hospitals — Ordered to be printed
Organisational Sustainability of Small Councils — Ordered to be printed

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

Ararat — C17
Boroondara — C179
Casey — C155, C175
Darebin — C124
Frankston — C79
Gannawarra — C29
Greater Bendigo — C145
Greater Dandenong — C151
Manningham — C97
Nillumbik — C77
Strathbogie — C62.

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

Aboriginal Lands Amendment Bill 2013
Parliamentary and Public Administration Legislation Amendment Bill 2013.

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

Borrowing and Investment Powers Amendment Bill 2013
Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Bill 2013.

9 **BUDGET PAPERS** — Motion made, by leave, and question proposed — That the House takes note of the 2013–14 budget papers (*Ms Asher*) — and, after debate —

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

Ordered — That the debate be adjourned until tomorrow.

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

11 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — VICTORIA'S HEALTH SYSTEM** — The House was informed that Mr Andrews had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Napthine Government for cutting more than \$826 million from Victoria's health system, and notes that:

- (1) More people than ever before are waiting to receive their elective surgery;
- (2) Victoria's ambulance system is in crisis with response times increasing at every metropolitan ambulance branch; and

- (3) Victoria now has fewer hospital beds treating patients than when this Government came to office.'

Mr Andrews addressed the House — Discussion followed.

- 12 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Road Safety Committee's Report on the Inquiry into Motorcycle Safety

Family and Community Development Committee's Report on the Inquiry into Opportunities for Participation of Victorian Seniors

Public Accounts and Estimates Committee's Report on the on the 2013–14 Budget Estimates Part One

Law Reform Committee's Report on the Inquiry into Sexting

Environment and Natural Resources Committee's Report on the Inquiry into the establishment and effectiveness of Registered Aboriginal Parties.

- 13 **ROAD SAFETY AND SENTENCING ACTS AMENDMENT BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 26 June 2013.

- 14 **ROAD LEGISLATION AMENDMENT (USE AND DISCLOSURE OF INFORMATION AND OTHER MATTERS) BILL 2013** — *Mr Mulder tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 26 June 2013.

- 15 **BORROWING AND INVESTMENT POWERS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the impacts of the measures and timelines of the Bill have been referred to, and considered by, the Economic Development and Infrastructure Committee' (*Mr Pallas*) — and, after debate —

Business having been interrupted at 2.00 pm under standing orders.

Member named and suspended — The Member for Bendigo East (*Ms Allan*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Bendigo East (*Ms Allan*) be suspended from the service of the House during the remainder of the day's sitting (*Ms Asher*) — put.

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Ms Allan accordingly withdrew from the Chamber.

16 **QUESTIONS** — (Under SO 55).

17 **BORROWING AND INVESTMENT POWERS AMENDMENT BILL 2013** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

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

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

18 **TRANSPORT LEGISLATION AMENDMENT (FOUNDATION TAXI AND HIRE CAR REFORMS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until appropriate consultation with stakeholders has occurred to address serious concerns about the Bill including, but not limited to:

- (1) measures to address the impact, including any hardship on taxi licence holders as a result of the devaluation of licences and the failure to adopt Professor Fels' hardship test;
- (2) further examination of the impact on the market of an unrestricted release of taxi licences specifically in relation to customer demand and driver pay;
- (3) the structuring of the new taxi zones including the unique challenges facing urban and regional, regional and country zones;
- (4) the impact on numbers and availability of wheelchair accessible taxis (WATs); and
- (5) possible fare increases' (*Mr Wynne*) — and, after debate —

Business having been interrupted at 10.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.49 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 136 — Thursday 13 June 2013

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

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

Sewerage Treatment Plant — Requesting that the Legislative Assembly urges the Government to expedite the construction of a sewerage treatment plant and all necessary infrastructure to the towns of Loch, Nyora and Poowong as a matter of urgency, bearing 449 signatures (*Mr Ryan*)

Working Dogs — Requesting that the Legislative Assembly urges the Government to — (a) amend the DPI Code of Practice for the Operation of Breeding and Rearing Businesses to exclude all working dogs including but not limited to dogs registered with associations such as the Victorian Working Sheep Dog Association, the Australian Working Border Collie Registry, the Working Kelpie Council of Australia and the International Sheep Dog Society, ensuring the exclusion extends to livestock guardian dogs and all hunting dogs; (b) develop a realistic and practical Code of Practice for the Responsible Ownership and Breeding of Working Dogs through extensive consultation with working dog representatives; and (c) undertake a practical review of the legislation which requires registration as a domestic animal business for its appropriateness to working dog owners who breed pups infrequently, bearing 504 signatures (*Mr Ryan*)

Dromana Pier — Requesting that the Legislative Assembly urges the Government to request Parks Victoria to urgently assess the remedial measures required to repair and subsequently replace the Dromana pier, establish and publish a timetable and seek the necessary funds for this work, bearing 6728 signatures (*Mr Morris*)

Red Light Cameras, Narre Warren — Requesting that the Legislative Assembly urges the Minister for Roads to provide funding for the installation of red light cameras at the intersection of Narre Warren North Road and Ernst Wanke Road, Narre Warren, bearing 338 signatures (*Mr Donnellan*)

Springvale Road to Boronia Road Land Reserve — Requesting that the Legislative Assembly urges the Government to maintain the reservation between Springvale Road, Vermont South and Boronia Road, Vermont, as open space for the use of the community, and protect the endangered vegetation on the site, bearing 333 signatures (*Mr Donnellan*).

Petitions ordered to be tabled.

- 3 **PETITION — RED LIGHT CAMERAS, NARRE WARREN** — Motion made and question — That the petition presented by the Member for Narre Warren North be taken into consideration tomorrow (*Mr Donnellan*) — put and agreed to.
- 4 **PETITION — SPRINGVALE ROAD TO BORONIA ROAD LAND RESERVE** — Motion made and question — That the petition presented by the Member for Narre Warren North be taken into consideration tomorrow (*Mr Donnellan*) — put and agreed to.

5 **PETITION — DROMANA PIER** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.

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

Statutory Rules under the following Acts:

Domestic Animals Act 1994 — SR 57

Road Safety Act 1986 — SRs 58, 59

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 57, 58, 59.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 25 June 2013 (*Ms Asher*) — put and agreed to.

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

9 **MAJOR TRANSPORT PROJECTS FACILITATION AMENDMENT (EAST WEST LINK AND OTHER PROJECTS) BILL 2013** — *Mr Mulder tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 27 June 2013.

10 **APPROPRIATION (2013–2014) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

11 **QUESTIONS** — (Under SO 55).

12 **APPROPRIATION (2013–2014) BILL 2013** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 11 June 2013 had expired.

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

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

Bill sent to the Legislative Council and their agreement requested.

13 **TRANSPORT LEGISLATION AMENDMENT (FOUNDATION TAXI AND HIRE CAR REFORMS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until appropriate consultation with stakeholders has occurred to address serious concerns about the Bill including, but not limited to:

(1) measures to address the impact, including any hardship on taxi licence holders as a result of the devaluation of licences and the failure to adopt Professor Fels' hardship test;

- (2) further examination of the impact on the market of an unrestricted release of taxi licences specifically in relation to customer demand and driver pay;
- (3) the structuring of the new taxi zones including the unique challenges facing urban and regional, regional and country zones;
- (4) the impact on numbers and availability of wheelchair accessible taxis (WATs); and
- (5) possible fare increases'.

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

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carabines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carabines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **STATE TAX LAWS AMENDMENT (BUDGET AND OTHER MEASURES) BILL 2013** —
Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 15 **APPROPRIATION (PARLIAMENT 2013–2014) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 16 **BORROWING AND INVESTMENT POWERS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the impacts of the measures and timelines of the Bill have been referred to, and considered by, the Economic Development and Infrastructure Committee'.

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

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 4.17 pm under sessional orders.

- 17 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.16 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 137, 138 and 139

No 137 — Tuesday 25 June 2013

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

2 **QUESTIONS** — (Under SO 55).

3 **SUCCESSION TO THE CROWN (REQUEST) BILL 2013** — Dr Napthine obtained leave to bring in a Bill *for an Act to request the Parliament of the Commonwealth to enact under section 51(xxviii) of the Constitution of the Commonwealth an Act to change the law relating to royal succession and royal marriages, and to make consequential amendments to the **Crimes Act 1958** and the **Imperial Acts Application Act 1980***; and the Bill was read a first time and ordered to be read a second time tomorrow.

4 **CORRECTIONS AMENDMENT (BREACH OF PAROLE) BILL 2013** — Mr Wells obtained leave to bring in a Bill *for an Act to amend the **Corrections Act 1986** and the **Sentencing Act 1991** in relation to the breach of terms and conditions of parole orders and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

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

Wellington Street and Blucher Street Intersection — Requesting that the Legislative Assembly urges the Government to provide traffic lights at the intersection of Wellington Street and Blucher Street Strathfieldsaye, bearing 189 signatures (*Ms Allan*)

Thompsons Road Upgrade — Requesting that the Legislative Assembly urges the Government to provide funding to upgrade Thompsons Road, between South Gippsland Highway and Western Port Highway, bearing 115 signatures (*Ms Graley*)

Township of Torrumbarry Speed Limit — Requesting that the Legislative Assembly urges the Government to reduce the speed limit on the Murray Valley Highway through the township of Torrumbarry from 100 kilometres per hour to 80 kilometres per hour, bearing 122 signatures (*Mr Weller*).

Petitions ordered to be tabled.

6 **PETITION — TOWNSHIP OF TORRUMBARRY SPEED LIMIT** — Motion made and question — That the petition presented by the Member for Rodney be taken into consideration tomorrow (*Mr Weller*) — put and agreed to.

7 **PETITION — THOMPSONS ROAD UPGRADE** — Motion made and question — That the petition presented by the Member for Narre Warren South be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.

8 **PETITION — WELLINGTON STREET AND BLUCHER STREET INTERSECTION** — Motion made and question — That the petition presented by the Member for Bendigo East be taken into consideration tomorrow (*Ms Allan*) — put and agreed to.

9 DOCUMENTS

FINAL REPORT ON THE INVESTIGATION OF THE 'DAMIEN OLIVER INQUIRY' 2012 BY RACING VICTORIA LIMITED — Tabled by leave (*Dr Napthine*).

Ordered to be printed.

HEALTH PRACTITIONER REGULATION NATIONAL LAW AMENDMENT (MIDWIFE INSURANCE EXEMPTION) REGULATION 2013 — No 70/2013 tabled by leave (*Ms Wooldridge*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 9 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Bail Amendment Bill 2013

Justice Legislation Amendment Act 2013

Major Transport Projects Facilitation Amendment (East West Link and Other Projects) Bill 2013

Marine (Domestic Commercial Vessel National Law Application) Act 2013

Road Legislation Amendment (Use and Disclosure of Information and Other Matters) Bill 2013

Road Safety and Sentencing Acts Amendment Bill 2013

together with appendices.

Ordered to be tabled and printed.

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

Drugs, Poisons and Controlled Substances Act 1981 — Report 2012 under s 96

Melbourne City Link Act 1995:

City Link and Extension Projects Integration and Facilitation Agreement Twenty-First Amending Deed

City Link Concession Deed Thirty-First Amending Deed

Exhibition Street Extension Agreement Fourteenth Amending Deed

Freeway Management System Coordination Agreement Third Amending Deed

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Return May 2013 and Summary of Variations notified between 6 October 2012 and 24 June 2013 — Ordered to be printed

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the Inquiry into Effective Decision Making for the Successful Delivery of Significant Infrastructure Projects

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

Banyule — C68

Greater Bendigo — C187

Greater Shepparton — C145

Melbourne — C171

Moreland — C145

Mornington Peninsula — C171

Mount Alexander — C65

Stonnington — C77, C182
 West Wimmera — C30

Statutory Rule under the *Water Act 1989* — SR 60.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Gambling Regulation Amendment Act 2013 — Remaining provisions — 1 July 2013 (*Gazette S203, 12 June 2013*)

Police Regulation Amendment Act 2012 — Whole Act except s 17 — 1 July 2013 (*Gazette S211, 18 June 2013*)

Water Legislation Amendment Act 2013 — Whole Act (except ss 7, 8 and 39) — 19 June 2013 (*Gazette S211, 18 June 2013*).

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

Building and Planning Legislation Amendment (Governance and Other Matters) Bill 2013
 Energy Legislation Amendment (Feed-in Tariffs and Other Matters) Bill 2013
 Marine (Domestic Commercial Vessel National Law Application) Bill 2013.

- 11 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 18 June 2013, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Aboriginal Lands Amendment Bill 2013
 Building and Planning Legislation Amendment (Governance and Other Matters) Bill 2013
 Energy Legislation Amendment (Feed-in Tariffs and Other Matters) Bill 2013
 Marine (Domestic Commercial Vessel National Law Application) Bill 2013
 Parliamentary and Public Administration Legislation Amendment Bill 2013.

- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2):

- (1) the Notice of Motion, Government Business, relating to the Upper Yarra Valley and Dandenong Ranges Planning Scheme Amendment be considered and completed by 10.00 pm on Wednesday 26 June 2013; and
- (2) the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 27 June 2013:

Bail Amendment Bill 2013
 Education and Training Reform Amendment (School Attendance) Bill 2013
 National Parks Amendment (Leasing Powers and Other Matters) Bill 2013
 Sustainable Forests (Timber) Amendment Bill 2013

(*Ms Asher*) — after debate, put.

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

AYES 43

Mr Angus; Ms Asher; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

14 **SUSTAINABLE FORESTS (TIMBER) AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the impacts of the measures and timelines of the Bill have been referred to, and considered by, the Environment and Natural Resources Committee' (*Ms Allan*) — and, after debate —

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

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

15 **EDUCATION AND TRAINING REFORM AMENDMENT (SCHOOL ATTENDANCE) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

16 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2013–14 budget papers; debate resumed.

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

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

17 **BAIL AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.44 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 138 — Wednesday 26 June 2013

- 1 The Speaker took the Chair and read the Prayer.
- 2 **CHILDREN, YOUTH AND FAMILIES AMENDMENT BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the Children, Youth and Families Act 2005, the Family Violence Protection Act 2008 and the Personal Safety Intervention Orders Act 2010 and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **OPEN COURTS BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to reform and consolidate provisions for and powers relating to suppression orders and closed court orders, to make consequential amendments to various Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Multi-disciplinary Assessments at Sunshine Hospital — Requesting that the Legislative Assembly urges the Government to restore multi-disciplinary assessments at Sunshine Hospital for children beginning school in 2014, bearing 34 signatures (*Mr Languiller*).

Ordered to be tabled.

- 5 **DOCUMENTS**

VICTORIAN CHILD DEATH REVIEW COMMITTEE — Report of Inquiries into the Deaths of Children known to Child Protection 2013 tabled by leave (*Ms Wooldridge*).

ENVIRONMENT AND NATURAL RESOURCES COMMITTEE — Mr Pandazopoulos, Deputy Chair, presented a report from the Environment and Natural Resources Committee on the Inquiry into rural drainage in Victoria, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices printed.

DRUGS AND CRIME PREVENTION COMMITTEE — Mr Battin presented a report from the Drugs and Crime Prevention Committee on the Inquiry into the Application of Safer Design Principles and Crime Prevention through Environmental Design, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices printed.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Morris, Chair, presented a report from the Public Accounts and Estimates Committee on the Appointment of a Person to Conduct the Performance Audit of the Victorian Auditor-General and the Victorian Auditor-General's Office under s 19 of the *Audit Act 1994*, together with an appendix.

Ordered to be tabled and printed.

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

Auditor-General:

Annual Plan 2013–14

Environment and Sustainability Sector: Performance Reporting — Ordered to be printed

Flood relief and recovery — Ordered to be printed

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 60.

- 6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Bill 2013 with amendments.

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

- 7 **COMMITTEE RESIGNATIONS** — The Speaker announced that he had received the resignations of:

Mr Brooks from the Scrutiny of Acts and Regulations Committee;

Ms Miller, Mr Southwick and Ms Tierney, MLC from the Education and Training Committee;

Ms Ryall from the Electoral Matters Committee;

Mr Wakeling from the Accountability and Oversight Committee; and

Mr Koch, MLC from the IBAC Committee;

effective from 25 June 2013.

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

- (1) Mr McIntosh be appointed a member of the Accountability and Oversight Committee.
- (2) Mr Battin and Mr Brooks be appointed members of the Education and Training Committee.
- (3) Mr Northe be appointed a member of the Electoral Matters Committee.
- (4) Ms Graley be discharged from attendance on the House Committee and that Ms Thomson (*Footscray*) be appointed in her place.
- (5) Mr McIntosh be appointed a member of the IBAC Committee.
- (6) Ms Barker be appointed a member of the Scrutiny of Acts and Regulations Committee.
- (7) Mr Brooks be discharged from attendance on the Standing Orders Committee and that Ms Kairouz be appointed in his place.
- (8) contingent upon the *Parliamentary Committees Amendment Act 2013* coming into operation:
 - (a) Mr Carroll, Mr McCurdy and Mr Southwick be appointed members of the Law Reform, Drugs and Crime Prevention Committee;

- (b) Mr Burgess, Mr Carroll, Mr Foley, Mrs Fyffe and Mr Shaw be appointed members of the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee —

(*Ms Asher*) — put and agreed to.

- 9 **ROAD SAFETY COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 29 November 2012 be amended to extend the reporting date for the Road Safety Committee's inquiry into the nature and extent of serious injury in motor vehicle accidents in Victoria to no later than 30 June 2014 (*Ms Asher*) — put and agreed to.
- 10 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That the government business program agreed to by this House on 25 June 2013 be amended by adding to paragraph (b) the Order of the Day, Government Business, relating to the Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Bill 2013 — Amendments of the Legislative Council (*Ms Asher*) — after debate, put.

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Shaw; Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

- 11 **PERFORMANCE AUDIT OF THE AUDITOR-GENERAL AND THE AUDITOR-GENERAL'S OFFICE** — Motion made, by leave, and question — That under s 19 of the *Audit Act 1994* Mr Andrew Nicolaou, Lead Partner — Victorian Government, Price Waterhouse Coopers be appointed:
- (1) to conduct the performance audit of the Auditor-General and the Victorian Auditor-General's Office (VAGO);
 - (2) in accordance with the Agreement for the Provision of Performance Audit of the Victorian Auditor-General and the VAGO, as detailed in the Request for Tender attached as Appendix 1 of the Public Accounts and Estimates Committee's Report on the Appointment of a Person to Conduct the Performance Audit of the Victorian Auditor-General and the Victorian Auditor-General's Office under s 19 of the *Audit Act 1994*;
 - (3) at a fixed fee level of remuneration of \$270,000 plus GST, plus \$2,000 plus GST in capped costs for expenses —

(*Ms Asher*) — put and agreed to.

Ordered — That a message sent to the Legislative Council requesting their agreement.

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT'S TRADE MISSION PROGRAM** — The House was informed that Ms Asher had proposed that a definite matter of public importance be submitted to the House for discussion, namely —
- 'That this House congratulates the Victorian Coalition Government on its trade mission program which has resulted in over \$3 billion in trade and investment for Victoria.'
- Ms Asher addressed the House — Discussion followed.
- 14 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Public Accounts and Estimates Committee's Report on the 2013–14 Budget Estimates Part One
- Drugs and Crime Prevention Committee's Report on the Inquiry into the Application of Safer Design Principles and Crime Prevention through Environmental Design
- Road Safety Committee's Report on the Inquiry into Motorcycle Safety.
- Business having been interrupted at 2.00 pm under standing orders.*
- 15 **QUESTIONS** — (Under SO 55).
- 16 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements resumed on the following Committee Reports:
- Law Reform Committee's Report on the Inquiry into access by donor-conceived people to information about donors
- Electoral Matters Committee's Report on the Inquiry into the conduct of the 2010 Victorian state election and matters related thereto.
- 17 **UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN** — Motion made and question — That under s 46D(1)(c) of the *Planning and Environment Act 1987*, Amendment No 120 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved (*Mr Clark*) — put, after debate, and agreed to.
- 18 **GOVERNMENT RESPONSE TO THE AUDITOR-GENERAL'S REPORTS** — Motion made and question — That the Government Response to the Auditor-General's Reports issued during 2011–12 be tabled (*Ms Asher*) — put and agreed to.
- 19 **SUCCESSION TO THE CROWN (REQUEST) BILL 2013** — *Ms Asher tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Ms Asher*).
- Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 10 July 2013.
- 20 **TRANSPORT LEGISLATION AMENDMENT (FOUNDATION TAXI AND HIRE CAR REFORMS) BILL 2013** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question proposed — That the following amendments be agreed to:

1. Clause 11, page 14, line 3, omit "The" and insert "Subject to subsections (3) and (4), the".
2. Clause 11, page 14, after line 8 insert—
 - "() In determining the boundaries of the Urban and Large Regional Zone under subsection (2)(a), the licensing authority must include within those boundaries—
 - (a) the Outer Suburban Taxi-Cab Zone as described in Schedule 1 to the Order made under section 143A on 17 June 2010 and published in the Government Gazette (No. S246) on 28 June 2010; and
 - (b) the Port Philip Taxi-Cab Zone as described in Schedule 1 to the Order made under section 143A on 16 November 2011 and published in the Government Gazette (No. S370) on 16 November 2011.
 - () The licensing authority does not have power under subsection (2)(b) to alter the boundaries of the Urban and Large Regional Zone in such a way that it no longer would include the whole of both the Zones referred to in paragraphs (a) and (b) of subsection (3)."
3. Clause 11, page 14, line 9, omit "(3)" and insert "(5)".
4. Clause 11, page 14, line 9, omit "The" and insert "Subject to subsection (6), the".
5. Clause 11, page 14, after line 11 insert—
 - "() An area of overlap cannot have any point within that area that is more than 3 kilometres from any point in either of the two adjoining zones that is outside that area."
6. Clause 11, page 14, line 12, omit "(4)" and insert "(7)".
7. Clause 11, page 14, line 12, omit "(5)" and insert "(8)".
8. Clause 11, page 14, line 22, omit "(5)" and insert "(8)".
9. Clause 11, page 14, line 30, omit "(6)" and insert "(9)".
10. Clause 11, page 14, line 30, omit "(5)" and insert "(8)".
11. Clause 11, page 15, line 1, omit "(7)" and insert "(10)".
12. Clause 11, page 15, line 1, omit "(8)" and insert "(11)".
13. Clause 11, page 15, line 6, omit "(8)" and insert "(11)".
14. Clause 11, page 15, line 15, omit "(9)" and insert "(12)".
15. Clause 11, page 15, line 16, omit "(8)" and insert "(11)".
16. Clause 16, line 15, omit "143B(8)" and insert "143B(11)".
17. Clause 17, page 22, Table in proposed new subsection (2B), omit "\$17 000" and insert "\$22 000".
18. Clause 17, page 22, Table in proposed new subsection (2B), omit "\$13 400" and insert "\$18 400" (*Mr Mulder*) — and, after debate —

Amendment No 2 — Amendments proposed —

- 1 In the proposed paragraph (b) omit "2011." and insert "2011; and".
- 2 After proposed paragraph (b) insert—
 - "(c) the Ballarat Taxi-Cab Zone being the area within an 11 kilometre radius of the Ballarat General Post Office; and
 - (d) the Bendigo Taxi-Cab Zone being the area within an 11 kilometre radius of the Bendigo General Post Office; and
 - (e) the Geelong Taxi-Cab Zone being the area bounded by the coastline, Hermsley Road to the Portarlington Road railway crossing at Curlewis, Curlewis road, a straight south-west line to the intersection of Ocean Grove Road, a straight south-west line to the intersection of Barwon Heads and Breamlea Roads, a straight south-west line to the intersection of Torquay and Blackgate roads, a straight north-west line to the intersection of Anglesea and Dickens Roads, a straight north-west line to the intersection of Princes Highway and Devon Road, a straight north-west line to the intersection of Barrabool and Hendy Main Roads, a straight north-east line to the intersection of Hamilton Highway and Pollocksford Road, a straight north-west line to the Midland Highway railway overpass at Gheringhap, a straight north line to the intersection of Sutherland Creek and Staceys Roads, Staceys Road to Geelong-Ballan Road, a straight north-east line to the intersection of Geelong-Bacchus Marsh and Peak School Roads, Peak School Road, a straight east line to Hughes Road, Hughes Road, Pousties Road, Beach Road and the coastline to Hermsley Road; and
 - (f) the Sunbury, Gisborne, Macedon, Romsey, Riddell's Creek, Woodend Taxi-Cab Zone being—
 - (i) the area within an 8 kilometre radius of the Sunbury Post Office; and
 - (ii) the area within an 8 kilometre radius of the Gisborne Post Office; and
 - (iii) the area within an 8 kilometre radius of the Macedon Post Office; and
 - (iv) the area within a 10 kilometre radius of the Romsey Post Office; and
 - (v) the area within a 2 kilometre radius of the Riddell's Creek Post Office; and
 - (vi) the area within an 8 kilometre radius of the Woodend Post Office; and
 - (g) the Melton/Bacchus Marsh Taxi-Cab Zone being—
 - (i) the area within a 15 kilometre radius of the Melton Post Office; and
 - (ii) the area within a 15 kilometre radius of the Bacchus Marsh Post Office; and
 - (iii) the area within an 8 kilometre radius of the Ballan Post Office; and
 - (h) the Wandong, Wallan, Broadford, Kilmore, Whittlesea Taxi-Cab Zone being—
 - (i) the area within a 3 kilometre radius of the Wandong Post Office; and
 - (ii) the area within a 4 kilometre radius of the Broadford Post Office; and
 - (iii) the area within an 8 kilometre radius of the Kilmore Post Office; and
 - (iv) the area within a 9 kilometre radius of the Wallan Post Office; and
 - (v) the area within a 10 kilometre radius of the Whittlesea Post Office."
- 3 Omit "the whole of both the Zones referred to in paragraphs (a) and (b) of" and insert " the whole of all of the Zones referred to in" (*Mr Wynne*) — and, after debate —

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

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

- 21 **BAIL AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.38 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 139 — Thursday 27 June 2013

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

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

Bus Routes 413, 414 and 416 — Requesting that the Legislative Assembly urges the Government to reverse the cuts of the 413, 414 and the alteration to the 416 bus services, bearing 26 signatures (*Ms Hennessy*)

Bus Routes 413, 416 and 446 — Requesting that the Legislative Assembly urges the Government to reverse the cuts of the 413, 416 and the alteration to the 446 bus services, bearing 1 signature (*Ms Hennessy*)

Maintenance of Schools in Ballarat — Requesting that the Legislative Assembly urges the Government to provide funds for the maintenance of government schools in Ballarat, bearing 8 signatures (*Ms Knight*)

Ambulance Services in Ballarat — Requesting that the Legislative Assembly urges the Government to immediately address the failure to provide Ballarat with the continuous coverage of professional paramedic services it needs, bearing 358 signatures (*Ms Knight*)

Caroline Springs Police Station — Requesting that the Legislative Assembly urges the Government to guarantee that it will make the community safe again by providing more police officers to be based at Caroline Springs Police Station and for the station to be opened 24 hours a day seven days a week, bearing 430 signatures (*Ms Hutchins*)

Donnybrook Train Station — Requesting that the Legislative Assembly urges the Government to upgrade the Donnybrook V-Line station and include more commuter car parking and improved lighting, bearing 89 signatures (*Ms Green*).

Petitions ordered to be tabled.

- 3 **PETITION — DONNYBROOK TRAIN STATION** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 4 **PETITION — CAROLINE SPRINGS POLICE STATION** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

5 **PETITION — MAINTENANCE OF SCHOOLS IN BALLARAT** — Motion made and question — That the petition presented by the Member for Ballarat West be taken into consideration tomorrow (*Ms Knight*) — put and agreed to.

6 **PETITION — AMBULANCE SERVICES IN BALLARAT** — Motion made and question — That the petition presented by the Member for Ballarat West be taken into consideration tomorrow (*Ms Knight*) — put and agreed to.

7 **DOCUMENTS**

OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT COMMITTEE — Ms McLeish presented a report from the Outer Suburban/Interface Services and Development Committee on the Inquiry on Growing the Suburbs: Infrastructure and Business Development in Outer Suburban Melbourne, together with appendices, a minority report and transcripts of evidence.

Ordered to be tabled and the report, appendices and minority report printed.

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

Multicultural Victoria Act 2011 — Victorian Government initiatives and reporting in multicultural affairs Report 2011–12

Statutory Rules under the following Acts:

Bus Safety Act 2009 — SR 68

Conservation, Forests and Lands Act 1987 — SRs 61, 66

County Court Act 1958 — SR 69

Electricity Safety Act 1998 — SR 62

Environment Protection Act 1970 — SR 63

Police Regulation Act 1958 — SR 67

Subordinate Legislation Act 1994 — SR 65

Victorian Civil and Administrative Tribunal Act 1998 — SR 71

Wildlife Act 1975 — SR 64

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 61, 63, 67, 68, 69, 71

Victorian Environmental Assessment Council Act 2001 — Report on the Investigation into Additional Prospecting Areas in Parks.

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Assembly's resolution appointing Mr Andrew Nicolaou, Lead Partner — Victorian Government, Price Waterhouse Coopers to conduct the performance audit of the Victorian Auditor-General's Office.

9 **ACCOUNTABILITY AND OVERSIGHT COMMITTEE** — The Speaker announced that he had received the resignation of Ms Richardson from the Accountability and Oversight Committee, effective from today.

10 **ACCOUNTABILITY AND OVERSIGHT COMMITTEE** — Motion made, by leave and question — That Ms Neville be appointed a member of the Accountability and Oversight Committee (*Ms Asher*) — put and agreed to.

11 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until a day and hour to be fixed by the Speaker, which time of meeting shall be notified in writing to each member of the House (*Ms Asher*) — put, after debate, and agreed to.

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **CHILDREN, YOUTH AND FAMILIES AMENDMENT BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).
- Motion made and question — That the debate be now adjourned (*Ms Neville*) — put and agreed to.
- Ordered — That the debate be adjourned until Thursday 11 July 2013.
- 14 **OPEN COURTS BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).
- Motion made and question — That the debate be now adjourned (*Ms Neville*) — put and agreed to.
- Ordered — That the debate be adjourned until Thursday 11 July 2013.
- 15 **NATIONAL PARKS AMENDMENT (LEASING POWERS AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- By leave, interruption of business under standing orders delayed until 2.30 pm.*
- 16 **QUESTIONS** — (Under SO 55).
- 17 **NATIONAL PARKS AMENDMENT (LEASING POWERS AND OTHER MATTERS) BILL 2013** — Debate continued on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Mr Newton-Brown*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Appropriation (Parliament 2013–2014) Bill 2013 without amendment.
- 19 **OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT COMMITTEE AND LAW REFORM COMMITTEE** — The Deputy Speaker announced that the Speaker had received the resignation of Ms McLeish from the Outer Suburban/Interface Services and Development Committee and Mrs Petrovich, MLC from the Law Reform Committee, effective from today.
- 20 **CORRECTIONS AMENDMENT (BREACH OF PAROLE) BILL 2013** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Wells*).
- Motion made and question — That the debate be now adjourned (*Mr Madden*) — put and agreed to.
- Ordered — That the debate be adjourned until Thursday 11 July 2013.

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

22 **EDUCATION AND TRAINING REFORM AMENDMENT (SCHOOL ATTENDANCE) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under paragraph (b) of the resolution of the House on Tuesday 25 June 2013 and as amended on Wednesday 26 June 2013 had expired.

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

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

Bill sent to the Legislative Council and their agreement requested.

23 **TRANSPORT LEGISLATION AMENDMENT (FOUNDATION TAXI AND HIRE CAR REFORMS) BILL 2013** — Order read for the consideration of the amendments made by the Legislative Council.

Question — That amendment No 1 be agreed to — put and agreed to.

Question — That the expression proposed to be omitted from Amendment No 2 stand part of the question — put.

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

The Speaker advised that, as Mr Wynne's amendment No 1 had been defeated, he cannot proceed with his remaining amendments as they are consequential.

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

Question — That amendment Nos 3 to 18 inclusive be agreed to — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

24 **SUSTAINABLE FORESTS (TIMBER) AMENDMENT BILL 2013** — Order read for resuming debate on question — That this bill now be read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses

to read this Bill a second time until the impacts of the measures and timelines of the Bill have been referred to, and considered by, the Environment and Natural Resources Committee'.

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

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

25 **NATIONAL PARKS AMENDMENT (LEASING POWERS AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 26 **BAIL AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 4.20 pm under sessional orders.

- 27 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.57 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 140, 141, 142 and 143

No 140 — Tuesday 20 August 2013

- 1 The House met in accordance with the terms of the resolution of 27 June 2013, the Speaker having fixed today at 2.00 pm as the time of meeting — The Speaker took the Chair and read the Prayer.
- 2 **APPOINTMENT OF OFFICERS OF PARLIAMENT** — The Speaker informed the House that, under s 18 of the *Parliamentary Administration Act 2005*, the Clerk of the Legislative Assembly has appointed Ms Bridget Noonan to be Deputy Clerk and Mr Robert McDonald to be Assistant Clerk Procedure and Serjeant-at-Arms, following the resignation of Mrs Liz Choat.
- 3 **DEATH OF HONOURABLE ALAN JOHN HUNT, AM** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable Alan John Hunt, AM, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Council for South Eastern Province from 1961 to 1992, a Minister of the Crown from 1971 to 1982 and President of the Legislative Council from 1988 to 1992 (*Dr Naphthine*) — put, after the Speaker and other members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 4 **ADJOURNMENT** — Motion made, by leave, and question — That, as a further mark of respect to the memory of the late Honourable Alan John Hunt, AM, the House now adjourns until 8.00 pm today (*Dr Naphthine*) — put and agreed to.

And the House, at 4.07 pm, adjourned until 8.00 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 141 — Tuesday 20 August 2013 (8.00 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTIONS** — (Under SO 55).
- 3 **IBAC DEPUTY COMMISSIONER** — The Speaker advised that, on 19 August 2013, he administered to William Simon Heath, the Deputy Commissioner, Independent Broad-based Anti-corruption Commission, the oath required by s 31 of the *Independent Broad-based Anti-corruption Commission Act 2011*.
- 4 **PLANT BIOSECURITY AMENDMENT BILL 2013** — Mr Walsh obtained leave to bring in a Bill 'for an Act to amend the *Plant Biosecurity Act 2010* to provide for certain debts due to the State under that Act to be a charge on land and for other purposes'; and the Bill was read a first time and ordered to be read a second time tomorrow.

- 5 **COURTS LEGISLATION AMENDMENT (JUDICIAL OFFICERS) BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the Constitution Act 1975, the Supreme Court Act 1986, the County Court Act 1958 and the Magistrates' Court Act 1989 to provide for part-time judicial service, to provide for the office of reserve associate judge and reserve coroner and further provide for reserve judges and reserve magistrates, to amend the Victorian Civil and Administrative Tribunal Act 1998 in relation to remuneration of non-judicial members, to consequentially amend other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **SUPERANNUATION LEGISLATION AMENDMENT BILL 2013** — Mr O'Brien obtained leave to bring in a Bill '*for an Act to amend the Emergency Services Superannuation Act 1986, the Parliamentary Salaries and Superannuation Act 1968, the State Employees Retirement Benefits Act 1979, the State Superannuation Act 1988 and the Transport Superannuation Act 1988, to repeal The Constitution Act Amendment Act 1958 and the Parliamentary Contributory Superannuation Act 1962 and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **RADIATION AMENDMENT BILL 2013** — Ms Wooldridge obtained leave to bring in a Bill '*for an Act to amend the Radiation Act 2005 to further provide for security plans for the possession and transportation of high consequence sealed sources and high consequence groups of sealed sources, to prohibit the commercial operation of tanning units and to empower the Secretary to issue improvement notices and prohibition notices for contraventions or likely contraventions of that Act and regulations made under that Act and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **CONSUMER AFFAIRS LEGISLATION AMENDMENT BILL 2013** — Ms Victoria obtained leave to bring in a Bill '*for an Act to amend the Associations Incorporation Reform Act 2012, the Australian Consumer Law and Fair Trading Act 2012, the Co-operatives National Law Application Act 2013, the Estate Agents Act 1980, the Interpretation of Legislation Act 1984 and the Residential Tenancies Act 1997 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Indigo Shire Council — Requesting that the Legislative Assembly urges the Government to compel Indigo Shire Council to guarantee that option B of the Indigo Shire Council Office accommodation project at Yackandandah will proceed to completion as currently planned and ensure that the Council maintains all employment positions currently operating from the Yackandandah offices, bearing 726 signatures (*Mr Tilley*)

Multi-disciplinary Assessments at Sunshine Hospital — Requesting that the Legislative Assembly urges the Government to restore multi-disciplinary assessments at Sunshine Hospital, for children beginning school in 2014, bearing 3 signatures (*Mr Languiller*).

Petitions ordered to be tabled.

10 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 10 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Assisted Reproductive Treatment Amendment (Access by Donor-Conceived People to Information about Donors) Bill 2013
 Children, Youth and Families Amendment Bill 2013
 Corrections Amendment (Breach of Parole) Bill 2013

Open Courts Bill 2013
 Succession to the Crown (Request) Bill 2013
 University of Ballarat Amendment (Federation University Australia) Bill 2013

together with appendices.

Ordered to be tabled and printed.

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

Bushfires Royal Commission Implementation Monitor Act 2011 — Bushfires Royal Commission Implementation Monitor Report 2013 under s 21

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:
 Alexandra Park and Alexandra Gardens Reserve
 Bells Beach Surfing and Recreation Reserve
 Edinburgh Gardens Reserve
 Sale Canal Reserve (three orders)
 Order under s 17D granting a lease over Lakeside Stadium Reserve

Disability Services Commissioner — Report 2012–13

Economic Development and Infrastructure Committee — Inquiry into Local Economic Development Initiatives in Victoria, together with appendices and transcripts of evidence — Report and appendices ordered to be printed

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2013 under s 303

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 60 (*Gazette G33, 15 August 2013*), 62 (*Gazette G28, 11 July 2013*)

Melbourne City Link Act 1995 — Kooyong Sub-lease

Melbourne Cricket Ground Trust — Report year ended 31 March 2013

Mental Health Review Board incorporating Psychosurgery Review Board — Report 2012–13

Parliamentary Committees Act 2003 — Final Government response to the Law Reform Committee's Report on the Inquiry into access by donor-conceived people to information about donors

Parliamentary Salaries and Superannuation Act 1968 — Report 2012–13 under s 7C

Planning and Environment Act 1987:

Notices of approval of amendments to the following Planning Schemes:

Alpine — C43
 Alpine Resorts — C26
 Ararat — C20
 Ballarat — C166, C169
 Baw Baw — C88, C90, C97, C101
 Bayside — C101, C103, C109

Benalla — C18, C19
 Boroondara — C101, C142, C160 Part 1, C176
 Brimbank — C152
 Cardinia — C194
 Casey — C169, C200
 Colac Otway — C62, C69
 East Gippsland — C67, C106
 Golden Plains — C53
 Greater Bendigo — C162 Part 2, C164, C186, C188
 Hepburn — C59 Part 1
 Hobsons Bay — C82
 Horsham — C61
 Hume — C178, C183, C185
 Knox — C93, C128
 Latrobe — C74
 Macedon Ranges — C82, C87
 Maribyrnong — C105, C118
 Melbourne C186 Part 1
 Melton — C133, C148
 Mitchell — C101
 Moira — C71
 Monash — C111
 Moreland — C129
 Mornington Peninsula — C172, C177
 Nillumbik — C78 Part 2, C82
 Pyrenees — C31, C32
 Southern Grampians — C25
 Stonnington — C170
 Strathbogie — C41
 Surf Coast — C57
 Swan Hill — C54
 Victoria Planning Provisions — V8, VC100
 Whittlesea — C147, C172, C178
 Wodonga — C99, C109
 Wyndham — C159, C169, C189
 Yarra — C169, C200
 Yarra Ranges — C109 Part 2
 Yarriambiack — C18

Urban Growth Boundary — Amendments to the following Planning Schemes under s 46AH:

Frankston — C93
 Greater Dandenong — C174
 Wyndham — C156

Statutory Rules under the following Acts:

Adoption Act 1984 — SR 76
Building Act 1993 — SRs 80, 81, 97
Community Based Sentences (Transfer) Act 2012 — SR 78
Conservation, Forests and Lands Act 1987 — SR 98
Crimes (Assumed Identities) Act 2004 — SR 93
Crimes (Controlled Operations) Act 2004 — SR 91
Dangerous Goods Act 1985 — SR 72
EastLink Project Act 2004 — SR 104
Evidence (Miscellaneous Provisions) Act 1958 — SR 92

Guardianship and Administration Act 1986 — SR 75
Infringements Act 2006 — SR 74
Magistrates' Court Act 1989 — SR 89
Marine (Domestic Commercial Vessel National Law Application) Act 2013 — SR 100
Marine (Drug, Alcohol and Pollution Control) Act 1988 — SRs 99, 101
Marine Safety Act 2010 — SR 102
Parliamentary Committees Act 2003 — SR 85
Parliamentary Salaries and Superannuation Act 1968 — SRs 83, 84
Partnership Act 1958 — SR 77
Road Safety Act 1986 — SRs 86, 87, 88
Sentencing Act 1991 — SR 73
Subordinate Legislation Act 1994 — SR 82
Supreme Court Act 1986 — SR 90
Surveillance Devices Act 1999 — SR 94
Tobacco Act 1987 — SR 79
Transport (Compliance and Miscellaneous) Act 1983 — SRs 95, 103
Victorian Energy Efficiency Target Act 2007 — SR 96

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 62, 64, 65, 66, 72, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 95, 97, 98, 99, 100, 101, 102, 103, 104

Documents under s 16B in relation to:

Education and Training Reform Act 2006:

Ministerial Order No 684

School Council Employees (Employment Conditions, Salaries, Allowances and Selection) (Amendment) Order 2013 No 691

Teaching Service (Employment Conditions, Salaries, Allowances, Selection and Conduct) (Amendment) Order 2013 No 685

Local Government Act 1989 — Prohibition of Declaration of Differential Rates Inconsistent with Ministerial Guidelines — Moreland City Council

Racing Act 1958:

Greyhound Racing Victoria — Rule Amendments

Racing Victoria Ltd Bookmakers' Licence Levy Rules 2012 — Rule Amendments

Road Management Act 2004 — Designation of certain areas as tow-away areas on Wurundjeri Way

Water Industry Act 1994:

Instrument fixing the minimum amount of rate to be paid in respect of any land

Order making the rate which the rating authority may levy in relation to land

Wildlife Act 1975 — Declaration of certain wildlife as unprotected wildlife on private property

Water Act 1989 — Abolition of Wy-Yung Groundwater Supply Protection Area Order 2013.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Alpine Resorts and National Parks Acts Amendment Act 2013 — Whole Act — 1 August 2013 (*Gazette S277, 30 July 2013*)

Energy Legislation Amendment (Feed-in Tariffs and Other Matters) Act 2013 — Whole Act — 10 July 2013 (*Gazette S257, 9 July 2013*)

Justice Legislation Amendment Act 2013 — Part 7 — 1 August 2013 (*Gazette S272, 23 July 2013*)

Marine (Domestic Commercial Vessel National Law Application) Act 2013 — Whole Act — 1 July 2013 (*Gazette S226, 25 June 2013*)

Planning and Environment Amendment (General) Act 2013 — Parts 1, 2 and 3, ss 15, 16, 37, 41, 47 and 50 and Parts 8, 9 and 10 (except for ss 70, 71(2), 73 and 76) — 22 July 2013 (*Gazette S250, 2 July 2013*)

Planning and Environment Amendment (Growth Areas Authority and Miscellaneous) Act 2013 — Whole Act — 22 July 2013 (*Gazette S250, 2 July 2013*)

Residential Tenancies and Other Consumer Acts Amendment Act 2012 — Remaining provisions — 1 August 2013 (*Gazette S277, 30 July 2013*)

Sentencing Amendment (Abolition of Suspended Sentences and Other Matters) Act 2013 — Section 37 — 30 June 2013; Part 3 and ss 60 and 65 — 27 July 2013 (*Gazette S226, 25 June 2013*); Division 2 of Part 2 — 1 September 2013; ss 27, 30, 31 and 32 — 30 September 2013 (*Gazette S284, 13 August 2013*).

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

Appropriation (2013–2014) Bill 2013

Borrowing and Investment Powers Amendment Bill 2013

State Tax Laws Amendment (Budget and Other Measures) Bill 2013.

- 12 **APPROPRIATION (2013–2014) BILL 2013 — APPROPRIATION (PARLIAMENT 2013–2014) BILL 2013** — The Speaker announced that, on 28 June 2013, he had presented to the Governor, the Appropriation (2013–2014) Bill 2013 and the Appropriation (Parliament 2013–2014) Bill 2013 to which the Governor gave the royal assent.

- 13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 28 June 2013, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Borrowing and Investment Powers Amendment Bill 2013

State Tax Laws Amendment (Budget and Other Measures) Bill 2013

Sustainable Forests (Timber) Amendment Bill 2013

Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Bill 2013.

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

1 July 2013

The Hon Ken Smith MP

Speaker

Legislative Assembly

Parliament House

Melbourne Vic 3002

Dear Speaker

I write to advise that Ms Donna Petrovich MLC called on me today and handed me her letter of resignation as Member of the Legislative Council for Northern Victoria, effective from today. It seems that section 27A of the *Constitution Act 1975* requires a joint sitting of the Council and Assembly to fill this vacancy.

I have advised the President and the Premier in like terms.

I enclose a copy of Ms Petrovich's letter for your records.

Yours sincerely

Alex Chernov
Governor.

- 15 **MESSAGE FROM THE GOVERNOR — SENATE VACANCY** — Transmitting a despatch from the Honourable the President of the Senate notifying that a vacancy had happened in the representation of the State of Victoria in the Senate of the Commonwealth of Australia through the resignation of Senator the Honourable David Feeney on 12 August 2013.
- 16 **MESSAGE FROM THE LEGISLATIVE COUNCIL — LEGISLATIVE COUNCIL AND SENATE VACANCIES** — The Speaker announced the receipt of a message from the Legislative Council proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Donna Petrovich, and to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable David Feeney, and that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday 21 August 2013 at 6.15 pm.

Ordered — That this message and the message from the Governor relating to the vacancy in the Senate be taken into consideration immediately.

Motion made and question — That this House meets the Legislative Council for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Donna Petrovich and to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable David Feeney, and as proposed by the Legislative Council, agrees that the place and time of this meeting be the Legislative Assembly Chamber on Wednesday 21 August 2013 at 6.15 pm (*Ms Asher*) — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 22 August 2013:

Corrections Amendment (Breach of Parole) Bill 2013
Fortification Removal Bill 2013
Major Transport Projects Facilitation Amendment (East West Link and Other Projects) Bill 2013
Road Legislation Amendment (Use and Disclosure of Information and Other Matters) Bill 2013
Road Safety and Sentencing Acts Amendment Bill 2013

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

- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 19 **FORTIFICATION REMOVAL BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.44 pm.

No 142 — Wednesday 21 August 2013

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

VICTORIA
LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Neil Angus, Liz Beattie, Gary Blackwood, Neale Burgess, Christine Campbell, Michael Gidley, Telmo Languiller, Tim McCurdy, Andrew McIntosh, David Morris, Don Nardella, Russell Northe, John Pandazopoulos, Bill Sykes, Murray Thompson and Paul Weller to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant replaces the previous warrants of 9 and 10 February 2011.

Given under my hand on 21 August 2013

Hon Ken Smith
SPEAKER.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - MFB and CFA Funding Cuts** — Requesting that the Legislative Assembly urges the Government to abandon its planned funding cuts and guarantee no further cuts to the Metropolitan Fire Brigade and Country Fire Authority will be made, bearing 13 signatures (*Ms Edwards*)
 - Proposed Options by DHS for the Provision of Public and Social Housing** — Requesting that the Legislative Assembly urges the Government to categorically rule out the following options — (a) an increase in rent; (b) introduction of limited tenure; and (c) the potential loss of public housing stock, and to guarantee that it will protect affordable and secure public housing for those who need it as a fundamental human right to shelter, bearing 15 signatures (*Ms Edwards*)
 - Multi-disciplinary Assessments at Sunshine Hospital** — Requesting that the Legislative Assembly urges the Government to restore multi-disciplinary assessments at Sunshine Hospital, for children beginning school in 2014, bearing 21 signatures (*Mr Languiller*)
 - Caroline Springs Police Station** — Requesting that the Legislative Assembly urges the Government to guarantee that it will make the community safe again by providing more police officers to be based at Caroline Springs Police Station and for the station to be opened 24 hours a day seven days a week, bearing 523 signatures (*Ms Hutchins*)
 - Mildura Base Hospital** — Requesting that the Legislative Assembly urges the Government to return Mildura Base Hospital to management by the state Government through a Board of Management, bearing 2730 signatures (*Mr Crisp*)
 - Ambulance Crisis in Victoria** — Requesting that the Legislative Assembly urges the Government to immediately take action to address the ambulance crisis in Victoria, bearing 811 signatures (*Mr Andrews*)
 - Epping Road On-ramps** — Requesting that the Legislative Assembly urges the Government to fund and commence work on both upgrading Epping Road and building on-ramps from O'Herns Road to the Hume Freeway as a matter of urgency, bearing 209 signatures (*Ms Green*).

Petitions ordered to be tabled.

- 4 **PETITION — MFB AND CFA FUNDING CUTS** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 5 **PETITION — PROPOSED OPTIONS BY DHS FOR THE PROVISION OF PUBLIC AND SOCIAL HOUSING** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 6 **PETITION — EPPING ROAD ON-RAMPS** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Halfpenny*) — put and agreed to.
- 7 **PETITION — CAROLINE SPRINGS POLICE STATION** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.
- 8 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Developing Transport Infrastructure and Services for Population Growth Areas — Ordered to be printed

Operating Water Infrastructure Using Public Private Partnerships — Ordered to be printed

Ombudsman — Report 2012–13 Part 1 — Ordered to be printed

Statutory Rule under the *Victorian Civil and Administrative Tribunal Act 1998* — SR 105.

- 9 **ECONOMIC DEVELOPMENT, INFRASTRUCTURE AND OUTER SUBURBAN/INTERFACE SERVICES COMMITTEE** — The Speaker announced that he had received the resignation of Mr Carroll from the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee, effective from 20 August 2013.
- 10 **ECONOMIC DEVELOPMENT, INFRASTRUCTURE AND OUTER SUBURBAN/INTERFACE SERVICES COMMITTEE** — Motion made, by leave, and question — That Mr McGuire be appointed a member of the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee (*Ms Asher*) — put and agreed to.
- 11 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 12 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.
- 13 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Outer Suburban/Interface Services and Development Committee's Report on the Inquiry on Growing the Suburbs: Infrastructure and Business Development in Outer Suburban Melbourne
- Economic Development and Infrastructure Committee's Report on the Inquiry into Local Economic Development Initiatives in Victoria
- Law Reform Committee's Report on the Inquiry into access by donor-conceived people to information about donors.

- 14 **PLANT BIOSECURITY AMENDMENT BILL 2013** — *Mr Walsh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Walsh*).
- Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 4 September 2013.
- 15 **COURTS LEGISLATION AMENDMENT (JUDICIAL OFFICERS) BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).
- Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 4 September 2013.
- Business having been interrupted at 2.00 pm under standing orders.*
- 16 **QUESTIONS** — (Under SO 55).
- 17 **SUPERANNUATION LEGISLATION AMENDMENT BILL 2013** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr O'Brien*).
- Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 4 September 2013.
- 18 **RADIATION AMENDMENT BILL 2013** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Ms Wooldridge*).
- Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 4 September 2013.
- 19 **CONSUMER AFFAIRS LEGISLATION AMENDMENT BILL 2013** — *Ms Victoria tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Ms Victoria*).
- Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 4 September 2013.
- 20 **FORTIFICATION REMOVAL BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 21 **ROAD SAFETY AND SENTENCING ACTS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 22 **ROAD LEGISLATION AMENDMENT (USE AND DISCLOSURE OF INFORMATION AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 23 **CORRECTIONS AMENDMENT (BREACH OF PAROLE) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 24 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.59 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 143 — Thursday 22 August 2013

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

- 2 **JOINT SITTING — LEGISLATIVE COUNCIL AND SENATE VACANCIES** — The Speaker reported that the House met on 21 August 2013 with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of Donna Petrovich, and that Amanda Louise Millar has been duly chosen to hold the vacant place, and to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable David Feeney, and that Mehmet Tillem has been duly chosen to hold the vacant place.

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

Bus Routes 413, 414 and 416 — Requesting that the Legislative Assembly urges the Government to reverse the cuts of the 413, 414 and the alteration to the 416 bus services, bearing 110 signatures (*Ms Hennessy*)

Bus Routes 413, 416 and 446 — Requesting that the Legislative Assembly urges the Government to reverse the cuts of the 413, 416 and the alteration to the 446 bus services, bearing 62 signatures (*Ms Hennessy*)

Swinburne Lilydale TAFE Land Zoning — Requesting that the Legislative Assembly ensures that the Swinburne Lilydale TAFE and University facilities remain solely for educational purposes and that the land zoning is not changed to facilitate the breaking up of the Swinburne site, bearing 1121 signatures (*Mr Merlino*)

East West Link Tunnel — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West Link tunnel, bearing 1169 signatures (*Mr Wynne*).

Petitions ordered to be tabled.

4 **PETITION — EAST WEST LINK TUNNEL** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.

5 **PETITION — SWINBURNE LILYDALE TAFE LAND ZONING** — Motion made and question — That the petition presented by the Member for Monbulk be taken into consideration tomorrow (*Mr Merlino*) — put and agreed to.

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

Ombudsman — Own motion investigation into unenforced warrants — Ordered to be printed

Professional Standards Act 2003 — Bar Association of Queensland Scheme under s 14 (*Gazette S230, 26 June 2013*)

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 73, 96, 105.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 3 September 2013 (*Ms Asher*) — put and agreed to.

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

9 **MAJOR TRANSPORT PROJECTS FACILITATION AMENDMENT (EAST WEST LINK AND OTHER PROJECTS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

10 **QUESTIONS** — (Under SO 55).

11 **MAJOR TRANSPORT PROJECTS FACILITATION AMENDMENT (EAST WEST LINK AND OTHER PROJECTS) BILL 2013** — Debate continued on question — That this Bill be now read a second time.

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

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

12 **UNIVERSITY OF BALLARAT AMENDMENT (FEDERATION UNIVERSITY AUSTRALIA) BILL 2013** — The Acting Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill *for an Act to amend the **University of Ballarat Act 2010** to change the name of the University of Ballarat to Federation University Australia and for other purposes*.

On the motion of Mr Dixon, the Bill was read a first time and, by leave, ordered to be read a second time immediately.

- 13 **UNIVERSITY OF BALLARAT AMENDMENT (FEDERATION UNIVERSITY AUSTRALIA) BILL 2013** — *Mr Dixon tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 5 September 2013.

- 14 **MAJOR TRANSPORT PROJECTS FACILITATION AMENDMENT (EAST WEST LINK AND OTHER PROJECTS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 20 August 2013 had expired.

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

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

Bill sent to the Legislative Council and their agreement requested.

- 15 **CORRECTIONS AMENDMENT (BREACH OF PAROLE) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 16 **FORTIFICATION REMOVAL BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 17 **ROAD SAFETY AND SENTENCING ACTS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 18 **ROAD LEGISLATION AMENDMENT (USE AND DISCLOSURE OF INFORMATION AND OTHER MATTERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 19 **ROAD SAFETY AND SENTENCING ACTS AMENDMENT BILL 2013** — The Speaker announced that he had received a report from the Clerk that he has made the following corrections in the Bill:

In clause 27, page 47, line 21, he has deleted the quote mark and full stop after 'order.' and inserted them in clause 27, page 47, line 26 after 'section.'. This ensures the note at the bottom of clause 27(1) is also inserted into the *Road Safety Act 1986*.

Business having been interrupted at 4.07 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.43 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 144, 145 and 146

No 144 — Tuesday 3 September 2013

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

2 **QUESTIONS** — (Under SO 55).

3 **STATUTE LAW REVISION BILL 2013** — Dr Naphthine obtained leave to bring in a Bill '*for an Act to revise the statute law of Victoria*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

4 **FISHERIES AMENDMENT BILL 2013** — Mr Walsh obtained leave to bring in a Bill '*for an Act to amend the Fisheries Act 1995 to establish a Fisheries Advisory Council and make miscellaneous amendments and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

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

Ashburton Police Station — Requesting that the Legislative Assembly urges the Government to ensure that the Ashburton Police Station is open every weekday, staffed by at least two police officers and a car and, when the station is closed, that the area is serviced by regular police patrols, bearing 275 signatures (*Ms Allan*)

Bay West Port Proposal — Requesting that the Legislative Assembly urges the Government to consider the future amenity of the residents of Melbourne's south east, and give full and proper consideration to the alternative Bay West Port proposal, near Avalon, bearing 248 signatures (*Mr Pakula*)

Ambulance Crisis — Requesting that the Legislative Assembly urges the Government to immediately take action to address the ambulance crisis in Victoria, bearing 39 signatures (*Mr Andrews*).

Petitions ordered to be tabled.

6 **PETITION — ASHBURTON POLICE STATION** — Motion made and question — That the petition presented by the Member for Bendigo East be taken into consideration tomorrow (*Ms Allan*) — put and agreed to.

7 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 11 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Consumer Affairs Legislation Amendment Bill 2013
Courts Legislation Amendment (Judicial Officers) Bill 2013
Plant Biosecurity Amendment Bill 2013
Radiation Amendment Bill 2013
Superannuation Legislation Amendment Bill 2013

together with appendices.

Ordered to be tabled and printed.

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

Charter of Human Rights and Responsibilities Act 2006 — Report 2012 on the operation of the Act — Ordered to be printed

Coronial Council of Victoria — Report 2012–13

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Civic Place, Warragul

Order under s 17D granting a lease over Point Leo Foreshore Reserve

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

Bass Coast — C137

Boroondara — C162

Brimbank — C64

Casey — C183

Darebin — C139

Glen Eira — C109, C110

Greater Dandenong — C176

Knox — C125

Maribyrnong — C126

Melbourne — C217

Melton — C113

Mitchell — C93

Moonee Valley — C133

Victoria Planning Provisions — VC104

Wellington — C79

Whittlesea — C165

Yarra Ranges — C132

Public Interest Monitor — Report 10 February 2013 to 30 June 2013

Rural Finance Corporation — Report 2012–13

Statutory Rules under the following Acts:

County Court Act 1958 — SR 110

Criminal Procedure Act 2009 — SR 110

Drugs, Poisons and Controlled Substances Act 1981 — SRs 107, 108

Legal Profession Act 2004 — SR 106

Public Health and Wellbeing Act 2008 — SR 109

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 91, 92, 93, 94, 110

Documents under s 16B in relation to the *State Concessions Act 2004*:

Concession (Electricity Retailers) Order 2013

Concession (Gas Retailers) Order 2013

Concession (Local Government) Order 2013
 Concession (Water Corporations) Order 2013

Surveillance Devices Act 1999 — Report 2012–13 under s 30L

Young Farmers' Finance Council — Report 2012–13.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Justice Legislation Amendment Act 2013 — Part 2 — 26 October 2013 (*Gazette S292, 20 August 2013*).

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

Bail Amendment Bill 2013
 National Parks Amendment (Leasing Powers and Other Matters) Bill 2013.

- 9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 27 August 2013, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Bail Amendment Bill 2013
 National Parks Amendment (Leasing Powers and Other Matters) Bill 2013.

- 10 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Radiation Amendment Bill 2013.

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

Courts Legislation Amendment (Judicial Officers) Bill 2013
 Superannuation Legislation Amendment Bill 2013.

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

VICTORIA
 LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Lucinda McLeish and Dee Ryall to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant amends the previous warrant of 21 August 2013.

Given under my hand on 3 September 2013.

Hon Ken Smith
 SPEAKER.

- 13 **LAW REFORM, DRUGS AND CRIME PREVENTION COMMITTEE** — Motion made, by leave, and question — That, under s 33 of the *Parliamentary Committees Act 2003*, an inquiry into the supply and use of methamphetamines, particularly ice, in Victoria be referred to the Law Reform, Drugs and Crime Prevention Committee for consideration and report no later than 31 August 2014 and, in particular, the Committee is required to:
- (1) examine the channels of supply of methamphetamine including direct importation and local manufacture of final product and raw constituent chemical precursors and ingredients;
 - (2) examine the supply and distribution of methamphetamine and links to organised crime organisations including outlaw motorcycle gangs;
 - (3) examine the nature, prevalence and culture of methamphetamine use in Victoria, particularly amongst young people, indigenous people and those who live in rural areas;
 - (4) examine the links between methamphetamine use and crime, in particular crimes against the person;
 - (5) examine the short and long term consequences of methamphetamine use;
 - (6) examine the relationship of methamphetamine use to other forms of illicit and licit substances;
 - (7) review the adequacy of past and existing state and federal strategies for dealing with methamphetamine use; and
 - (8) consider best practice strategies to address methamphetamine use and associated crime, including regulatory, law enforcement, education and treatment responses (particularly for groups outlined above) —

(*Ms Asher*) — put and agreed to.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 5 September 2013:

Catchment and Land Protection Amendment Bill 2013
 Children, Youth and Families Amendment Bill 2013
 Open Courts Bill 2013
 Plant Biosecurity Amendment Bill 2013
 Succession to the Crown (Request) Bill 2013
 University of Ballarat Amendment (Federation University Australia) Bill 2013

(*Ms Asher*) — after debate, put.

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

16 **CATCHMENT AND LAND PROTECTION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Fortification Removal Bill 2013 without amendment.

18 **SUCCESSION TO THE CROWN (REQUEST) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

19 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.50 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 145 — Wednesday 4 September 2013

1 The Speaker took the Chair and read the Prayer.

2 **ACTING IBAC COMMISSIONER** — The Speaker advised that, on 3 September 2013, he administered to Murray Bryon Kellam, the Acting Commissioner, Independent Broad-based Anti-corruption Commission, the oath required by s 31 of the *Independent Broad-based Anti-corruption Commission Act 2011*.

3 **PROFESSIONAL BOXING AND COMBAT SPORTS AMENDMENT BILL 2013** — Ms Asher obtained leave to bring in a Bill 'for an Act to amend the *Professional Boxing and Combat Sports Act 1985*, to make consequential amendments to the *Casino Control Act 1991* and the *Racing Act 1958* and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Auditor-General:

Asset Confiscation Scheme — Ordered to be printed
Report 2012–13.

- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Major Transport Projects Facilitation Amendment (East West Link and Other Projects) Bill 2013 without amendment.

- 6 **EDUCATION AND TRAINING COMMITTEE — ECONOMIC DEVELOPMENT, INFRASTRUCTURE AND OUTER SUBURBAN/INTERFACE SERVICES COMMITTEE** — The Speaker announced he had received the resignations of Mr Battin from the Education and Training Committee and Mr Foley from the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee, effective from Tuesday 3 September 2013.

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

- 8 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — EAST WEST TUNNEL** — The House was informed that Mr Andrews had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Premier for prioritising an \$8 billion dud tunnel that no-one voted for, will not fix congestion on local roads, will not improve public transport, and which even the Government's own experts say is a dud project.'

Mr Andrews addressed the House — Discussion followed.

- 9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry on Growing the Suburbs: Infrastructure and Business Development in Outer Suburban Melbourne

Public Accounts and Estimates Committee's Report on the 2013–14 Budget Estimates — Part One

Economic Development and Infrastructure Committee's Report on the Inquiry into Local Economic Development Initiatives in Victoria

Education and Training Committee's Report on the Inquiry into the Education of Gifted and Talented Students.

- 10 **STATUTE LAW REVISION BILL 2013** — *Dr Naphine tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 18 September 2013.

- 11 **FISHERIES AMENDMENT BILL 2013** — *Mr Walsh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 18 September 2013.

- 12 **CHILDREN, YOUTH AND FAMILIES AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 13 **QUESTIONS** — (Under SO 55).

- 14 **CHILDREN, YOUTH AND FAMILIES AMENDMENT BILL 2013** — Debate continued on question — That this Bill be now read a second time.

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

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

- 15 **OPEN COURTS BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

Business having been interrupted at 10.00 pm under sessional orders.

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

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 146 — Thursday 5 September 2013

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

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

East West Link Tunnel — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West Link tunnel, bearing 970 and 180 signatures (*Ms Garrett and Mr Wynne respectively*)

Early Childhood Intervention Services — Requesting that the Legislative Assembly urges the Government to — (a) fund a minimum of 50 additional Early Childhood Intervention Services places at Kalparrin Early Intervention Service; and (b) reinstate the former Kalparrin-run Northern Early Support Service to assist families on the waiting list for early intervention places, bearing 560 signatures (*Mr Brooks*)

Doncaster Rail Link — Requesting that the Legislative Assembly urges the Government to abandon plans for a costly and unsustainable East West toll road and tunnel in favour of funding urgently needed public transport priorities including the Doncaster Rail Link, bearing 4009 and 277 signatures (*Mr Andrews and Mr Wynne respectively*)

VicRoads Engineering Staff — Requesting that the Legislative Assembly urges the Government to — (a) ensure VicRoads is exempted from current and future staffing cuts as they relate to engineering; (b) act to alleviate the current crisis in capacity in Victoria, thereby saving taxpayer dollars and protecting public safety; and (c) confirm any current or future organisational restructure at VicRoads must not diminish the internal engineering capacity of the organisation, bearing 821 signatures (*Mr Donnellan*).

Petitions ordered to be tabled.

- 3 **PETITION — DONCASTER RAIL LINK** — Motion made and question — That the petition presented by the Member for Mulgrave be taken into consideration tomorrow (*Mr Andrews*) — put and agreed to.
- 4 **PETITION — VICROADS ENGINEERING STAFF** — Motion made and question — That the petition presented by the Member for Narre Warren North be taken into consideration tomorrow (*Mr Donnellan*) — put and agreed to.
- 5 **PETITION — MULTI-DISCIPLINARY ASSESSMENTS AT SUNSHINE HOSPITAL** — Motion made and question — That the petition presented by the Member for Derrimut on Tuesday 20 August 2013 be taken into consideration tomorrow (*Mr Languiller*) — put and agreed to.
- 6 **PETITION — MULTI-DISCIPLINARY ASSESSMENTS AT SUNSHINE HOSPITAL** — Motion made and question — That the petition presented by the Member for Derrimut on Wednesday 21 August 2013 be taken into consideration tomorrow (*Mr Languiller*) — put and agreed to.
- 7 **PETITION — EAST WEST LINK TUNNEL** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 8 **PETITION — DONCASTER RAIL LINK** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 9 **PETITION — EARLY CHILDHOOD INTERVENTION SERVICES** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.
- 10 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Boort District Health — Report 2012–13

Cohuna District Hospital — Report 2012–13

Financial Management Act 1994:

Reports from the Minister for Health that he had received the reports 2012–13 of:

Geelong Cemeteries Trust

Maldon Hospital

Report from the Minister for Women's Affairs that she had received the Report 2012–13 of the Queen Victoria Women's Centre Trust

Health Purchasing Victoria — Report 2012–13

Parliamentary Committees Act 2003 — Government response to the Law Reform Committee's Report on the Inquiry into Access to and Interaction with the Justice System by People with an Intellectual Disability and their Families and Carers

Radiation Advisory Committee — Report 2012–13

Road Safety Camera Commissioner — Report 2012–13

Robinvale District Health Services — Report 2012–13

Southern Metropolitan Cemeteries Trust — Report 2012–13

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 106, 111, 112

Swan Hill District Health — Report 2012–13

Victorian Environmental Assessment Council Act 2001 — Report on the Yellingbo Investigation

Victorian Health Promotion Foundation — Report 2012–13

Victorian Multicultural Commission — Report 2012–13

Youth Parole Board and Youth Residential Board — Report 2012–13.

11 **STATUTE LAW REVISION BILL 2013** — Motion made, by leave, and question — That the proposals contained in the Statute Law Revision Bill 2013 be referred to the Scrutiny of Acts and Regulations Committee for inquiry, consideration and report (*Ms Asher*) — put and agreed to.

12 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 17 September 2013 (*Ms Asher*) — put and agreed to.

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

14 **PROFESSIONAL BOXING AND COMBAT SPORTS AMENDMENT BILL 2013** — *Mr Delahunty tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 19 September 2013.

15 **UNIVERSITY OF BALLARAT AMENDMENT (FEDERATION UNIVERSITY AUSTRALIA) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Education and Training Reform Amendment (School Attendance) Bill 2013 without amendment.

- 17 **PLANT BIOSECURITY AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the Government commits funding for plant industries in the Goulburn Valley that have been issued with infested land notices' (*Mr Wynne*) — and, after debate —

Business having been interrupted at 2.00 pm under standing orders.

- 18 **QUESTIONS** — (Under SO 55).

- 19 **PLANT BIOSECURITY AMENDMENT BILL 2013** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 3 September 2013 had expired.

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

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Ms Wooldridge; Ms Wreford.

NOES 41

Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

Bill sent to the Legislative Council and their agreement requested.

- 20 **OPEN COURTS BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 30 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **CHILDREN, YOUTH AND FAMILIES AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

22 **CATCHMENT AND LAND PROTECTION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

23 **SUCCESSION TO THE CROWN (REQUEST) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

24 **UNIVERSITY OF BALLARAT AMENDMENT (FEDERATION UNIVERSITY AUSTRALIA) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

Business having been interrupted at 4.07 pm under sessional orders.

25 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.52 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 147, 148, 149 and 150

No 147 — Tuesday 17 September 2013

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **DEATH OF THE HONOURABLE JAMES HALFORD RAMSAY** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable James Halford Ramsay, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for Balwyn from 1973 to 1988, and as Minister of the Crown from 1978 to 1982 (*Dr Napthine*) — put, after members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 3 **ADJOURNMENT** — Motion made, by leave, and question — That, as a further mark of respect to the memory of the late Honourable James Halford Ramsay, the House now adjourns until 4.30 pm today (*Dr Napthine*) — put and agreed to.

And the House, at 3.16 pm, adjourned until 4.30 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 148 — Tuesday 17 September 2013
(4.30 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTIONS** — (Under SO 55).
- 3 **TOBACCO AMENDMENT BILL 2013** — Ms Wooldridge obtained leave to bring in a Bill *for an Act to amend the Tobacco Act 1987 to prohibit smoking in certain public outdoor areas, to restrict further the promotion and display of tobacco products, to make it an offence to threaten, assault or intimidate an inspector who is exercising a power under Part 3A of that Act and for other purposes*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:
Ringwood Railway Station Upgrade — Requesting that the Legislative Assembly urges the Government to ensure that the upgraded Ringwood Railway Station and bus interchange will include an extension of the footbridge from Station Street to the north side of Maroondah Highway therefore separating pedestrian traffic from road traffic and ensuring pedestrian safety, bearing 144 signatures (*Mr Smith, Warrandyte*).

Ordered to be tabled.

5 DOCUMENTS

VICTORIAN COMPETITION AND EFFICIENCY COMMISSION — Report 2012–13 tabled by leave (*Mr O'Brien*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Annual Review 2012, Regulations and Legislative Instruments, together with appendices tabled by leave (*Mr Gidley*).

Ordered to be printed.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 12 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Fisheries Amendment Bill 2013
 Plant Biosecurity Amendment Bill 2013
 Professional Boxing and Combat Sports Amendment Bill 2013
 Statute Law Revision Bill 2013

together with appendices.

Ordered to be tabled and printed.

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

Agriculture Victoria Services Pty Ltd — Report 2012–13

Australian Grand Prix Corporation — Report 2012–13

Financial Management Act 1994:

Reports from the Minister for Agriculture and Food Security that he had received the reports 2012–13 of:

Dairy Food Safety Victoria
 Victorian Broiler Industry Negotiation Committee
 Victorian Strawberry Industry Development Committee

Report from the Minister for Environment and Climate Change that he had received the Report 2012–13 of the Alpine Resorts Co-ordinating Council

Report from the Minister for Planning that he had received the Report 2012–13 of the Heritage Council of Victoria

Reports from the Minister for Veterans' Affairs that he had received the reports 2012–13 of the:

Shrine of Remembrance
 Victorian Veterans Council

Geoffrey Gardiner Dairy Foundation Ltd — Report 2012–13 (two documents)

National Parks Advisory Council — Report period ended April 2013

Phillip Island Nature Parks — Report 2012–13

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

Boroondara — C98
 Casey — C172

Glen Eira — C95, C98
 Greater Geelong — C155, C243
 Latrobe — C81
 Maroondah — C56
 Melbourne — C98, C162, C202
 Monash — C116
 Moonee Valley — C128
 Mornington Peninsula — C135 Part 1
 Surf Coast — C68 Part 1
 Swan Hill — C52
 Towong — C33
 Victoria Planning Provisions — VC103
 Yarra — C202
 Yarra Ranges — C122

Premier and Cabinet, Department of — Report 2012–13

Recreational Fishing Licence Trust Account — Report 2012–13 on the disbursement of Revenue

Regional Development Victoria — Report 2012–13

State Trustees Ltd — Report 2012–13

Statutory Rules under the following Acts:

Administration and Probate Act 1958 — SR 111

Corporations (Ancillary Provisions) Act 2001 — SR 112

Health Services Act 1988 — SR 113

Supreme Court Act 1986 — SR 111, 112

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 107, 108, 109, 113

Documents under s 16B in relation to the *Education and Training Reform Act 2006*:

Ministerial Directions to TAFE Institutes on the Employment of Staff

Ministerial Order 700

Tourism Victoria — Report 2012–13

Treasury Corporation of Victoria — Report 2012–13

Victorian Coastal Council — Report 2012–13

Victorian Environmental Assessment Council — Report 2012–13

Victorian Small Business Commissioner, Office of — Report 2012–13

Zoological Parks and Gardens Board — Report 2012–13 (two documents).

6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Corrections Amendment (Breach of Parole) Bill 2013 without amendment.

7 **MESSAGE FROM THE LIEUTENANT-GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 10 September 2013, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Corrections Amendment (Breach of Parole) Bill 2013
 Education and Training Reform Amendment (School Attendance) Bill 2013
 Fortification Removal Bill 2013
 Major Transport Projects Facilitation Amendment (East West Link and Other Projects) Bill 2013
 University of Ballarat Amendment (Federation University Australia) Bill 2013.

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

Fisheries Amendment Bill 2013
 Professional Boxing and Combat Sports Amendment Bill 2013.

- 9 **EDUCATION AND TRAINING COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 23 October 2012 be amended to extend the reporting date for the Education and Training Committee's inquiry into the extent, benefits and potential of music education in Victorian schools to no later than 13 November 2013 (*Ms Asher*) — put and agreed to.

- 10 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2):

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

Consumer Affairs Legislation Amendment Bill 2013
 Courts Legislation Amendment (Judicial Officers) Bill 2013
 Radiation Amendment Bill 2013
 Superannuation Legislation Amendment Bill 2013;

- (2) the Notice of Motion, Government Business, relating to the Urban Growth Boundary — Frankston and Greater Dandenong Planning Scheme Amendments; and
 (3) the Notice of Motion, Government Business, relating to the Urban Growth Boundary — Wyndham Planning Scheme Amendment

be considered and completed by 4.00 pm on Thursday 19 September 2013 —

(*Ms Asher*) — and, after debate —

Amendment proposed — That the words 'Superannuation Legislation Amendment Bill 2013' be omitted and that the following words be added after '19 September 2013':

'and

- (4) the Order of the Day, Government Business, relating to the Superannuation Legislation Amendment Bill 2013 be considered and completed as follows:
 (a) the second reading stage by 10.30 am on Thursday 19 September 2013; and
 (b) the remaining stages by 4.00 pm on Thursday 19 September 2013'

(*Ms Allan*) — and, after debate —

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

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Original question — put.

House divided (the Speaker, Mr Smith, in the Chair) —

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

- 11 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Road Safety and Sentencing Acts Amendment Bill 2013 without amendment.
- 13 **CONSUMER AFFAIRS LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.
- 14 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.38 pm.

No 149 — Wednesday 18 September 2013

1 The Speaker took the Chair and read the Prayer.

2 **WORKPLACE INJURY REHABILITATION AND COMPENSATION BILL 2013** — Mr O'Brien obtained leave to bring in a Bill '*for an Act to re-enact with amendments certain provisions of the Accident Compensation Act 1985 and the Accident Compensation (WorkCover Insurance) Act 1993, to provide for the registration of employers and the payment of WorkCover premiums, to amend the Accident Compensation Act 1985, to repeal the Accident Compensation (WorkCover Insurance) Act 1993, to make consequential amendments to certain other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

3 **CORRECTIONS AMENDMENT (PAROLE REFORM) BILL 2013** — Mr Wells obtained leave to bring in a Bill '*for an Act to amend the Corrections Act 1986 in relation to membership of the Adult Parole Board, making of parole decisions and notification of registered victims before release of a prisoner on parole and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

4 **LOCAL GOVERNMENT (RURAL CITY OF WANGARATTA) BILL 2013** — Mrs Powell obtained leave to bring in a Bill '*for an act to dismiss the Rural City of Wangaratta Council and provide for a general election for that Council and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Caroline Springs Police Station — Requesting that the Legislative Assembly urges the Government to guarantee that it will make the community safe again by providing more police officers to be based at Caroline Springs Police Station and for the station to be opened 24 hours a day seven days a week, bearing 63 signatures (*Ms Hutchins*)

Trafalgar Railway Station — Requesting that the Legislative Assembly urges the Government to — (a) authorise the repair of the Trafalgar Railway Station building to an acceptable standard as an iconic community building and maintain it at the restored condition; (b) require VicTrack to take action for the Trafalgar Railway Station building to be occupied by a community group or local business; and (c) require V/Line to provide parking facilities on its land to the north side of the Trafalgar Railway Station for use by rail commuters, bearing 450 signatures (*Mr Blackwood*).

Petitions ordered to be tabled.

6 **PETITION — CAROLINE SPRINGS POLICE STATION** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

7 **PETITION — TRAFALGAR RAILWAY STATION** — Motion made and question — That the petition presented by the Member for Narracan be taken into consideration tomorrow (*Mr Blackwood*) — put and agreed to.

8 **DOCUMENTS**

PARLIAMENTARY DEPARTMENTS — Reports 2012–13 of the Department of the Legislative Assembly and the Department of Parliamentary Services tabled by leave (*Mrs Fyffe*).

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

Adult, Community and Further Education Board — Report 2012–13

Adult Parole Board — Report 2012–13

Auditor-General:

Managing Telecommunications Usage and Expenditure — Ordered to be printed
Performance Reporting Systems in Education — Ordered to be printed

Barwon Region Water Corporation — Report 2012–13

Central Gippsland Region Water Corporation — Report 2012–13

Central Highlands Region Water Corporation — Report 2012–13

City West Water Corporation — Report 2012–13

Coliban Region Water Corporation — Report 2012–13

East Gippsland Region Water Corporation — Report 2012–13

Energy Safe Victoria — Report 2012–13

Essential Services Commission — Periodic Review of Accident, Towing and Storage Fees

Financial Management Act 1994 — Report from the Minister for Agriculture and Food Security that he had received the Report 2012–13 of PrimeSafe

Gippsland and Southern Rural Water Corporation — Report 2012–13

Goulburn-Murray Rural Water Corporation — Report 2012–13

Goulburn Valley Region Water Corporation — Report 2012–13

Grampians Wimmera Mallee Water Corporation — Report 2012–13

Linking Melbourne Authority — Report 2012–13

Lower Murray Urban and Rural Water Corporation — Report 2012–13

Melbourne Water Corporation — Report 2012–13

National Parks Act 1975:

Report 2012–13 on the working of the Act
Report under s 17

North East Region Water Corporation — Report 2012–13

Occupational Health and Safety Act 2004 — Report under s 11

Ombudsman — Report 2012–13 Part 2 — Ordered to be printed

Planning and Community Development, Department of — Report 2012–13

Racing Integrity Commissioner, Office of — Report 2012–13

Royal Botanic Gardens Board — Report 2012–13

South East Water Corporation — Report 2012–13

South Gippsland Region Water Corporation — Report 2012–13

Subordinate Legislation Act 1994 — Documents under s 16B in relation to:

Education and Training Reform Act 2006 — Constitution of Adult Multicultural Education Services Order 2013

National Electricity (Victoria) Act 2005 — Ministerial Order under s 16BA

Surveillance Devices Act 1999 — Report 2012–13 under s 30L

Transport, Planning and Local Infrastructure, Department of — Report 2012–13

Victoria Grants Commission — Report year ended 31 August 2013

Victorian Curriculum and Assessment Authority — Report 2012–13

Victorian Electoral Commission — Report 2012–13

Victorian Institute of Teaching — Report 2012–13

Victorian Managed Insurance Authority — Report 2012–13

Victorian Registration and Qualifications Authority — Report 2012–13

Wannon Region Water Corporation — Report 2012–13

Westernport Region Water Corporation — Report 2012–13

Western Region Water Corporation — Report 2012–13

Yarra Valley Water Corporation — Report 2012–13.

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

Plant Biosecurity Amendment Bill 2013

Road Legislation Amendment (Use and Disclosure of Information and Other Matters) Bill 2013.

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

- 11 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT'S FINANCIAL MANAGEMENT** — The House was informed that Mr O'Brien had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House endorses the Victorian Coalition Government's strong financial management which is enabling vital investment in transport, health, community services, education, community safety and other important infrastructure and services throughout Victoria.'

Mr O'Brien addressed the House — Discussion followed.

- 12 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry on Growing the Suburbs: Infrastructure and Business Development in Outer Suburban Melbourne

Road Safety Committee's Report on the Inquiry into Motorcycle Safety

Economic Development and Infrastructure Committee's Report on the Inquiry into Local Economic Development Initiatives in Victoria

Law Reform Committee's Report on the Inquiry into Access to and Interaction with the Justice System by People with an Intellectual Disability and their Families and Carers.

- 13 **URBAN GROWTH BOUNDARY — PLANNING SCHEME AMENDMENTS** — Motion made and question — That under s 46AH of the *Planning and Environment Act 1987*, the following amendments to modify the Urban Growth Boundary be ratified:

Frankston Planning Scheme — C93

Greater Dandenong Planning Scheme — C174

(*Mr Clark*) — and, after debate —

Business having been interrupted at 2.00 pm under standing orders.

- 14 **QUESTIONS** — (Under SO 55).

- 15 **URBAN GROWTH BOUNDARY — PLANNING SCHEME AMENDMENTS** — Debate resumed on question — That under s 46AH of the *Planning and Environment Act 1987*, the following amendments to modify the Urban Growth Boundary be ratified:

Frankston Planning Scheme — C93

Greater Dandenong Planning Scheme — C174 —

put and agreed to.

- 16 **WYNDHAM PLANNING SCHEME AMENDMENT** — Motion made and question proposed — That under s 46AH of the *Planning and Environment Act 1987*, Wyndham Planning Scheme Amendment C156 be ratified (*Mr Clark*) — and, after debate —

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

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Shaw; Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

- 17 **TOBACCO AMENDMENT BILL 2013** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 2 October 2013.

- 18 **COURTS LEGISLATION AMENDMENT (JUDICIAL OFFICERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

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

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 150 — Thursday 19 September 2013

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PARLIAMENTARY BUDGET OFFICER BILL 2013** — Motion made and question — That Mr Pallas have leave to bring in a Bill '*for an Act to establish the position of a Parliamentary Budget Officer and for other purposes*' — put.

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

AYES 40

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 41

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

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

East West Link Tunnel — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West link tunnel, bearing 180 and 324 signatures (*Ms Garrett and Mr Wynne respectively*)

SPC Ardmona — Requesting that the Legislative Assembly urges the Government to — (a) approve a substantial adjustment package that will support the manufacturing industry with the view to maintaining employment and restoring the viability of the grower and related sectors; and (b) support any Federal Government action which invokes appropriate and lawful World Trade Organisation measures which help to redress the lack of fair competition in the preserved fruit and tomato marketplace, bearing 61 signatures (*Mr McCurdy*)

Hallam Railway Station — Requesting that the Legislative Assembly urges the Government to provide a funding commitment for the Hallam Railway Station upgrade, bearing 205 signatures (*Ms Graley*)

Melbourne Metro Rail Project — Requesting that the Legislative Assembly urges the Government to — (a) immediately halt all work on the East West toll road; and (b) commit to the Melbourne Metro rail project, including a rail link to Tullamarine Airport, bearing 198 signatures (*Mr Wynne*).

Petitions ordered to be tabled.

- 4 **PETITION — EAST WEST LINK TUNNEL** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Ms Garrett*) — put and agreed to.
- 5 **PETITION — EAST WEST LINK TUNNEL** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 6 **PETITION — MELBOURNE METRO RAIL PROJECT** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 7 **PETITION — HALLAM RAILWAY STATION** — Motion made and question — That the petition presented by the Member for Narre Warren South be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.

8 **DOCUMENTS**

OFFICE OF THE PUBLIC ADVOCATE — Report 2012–13 tabled by leave (*Mr Clark*).

Ordered to be printed.

VICTORIA LAW FOUNDATION — Report 2012–13 tabled by leave (*Mr Clark*).

CONSUMER UTILITIES ADVOCACY CENTRE LTD — Report 2012–13 tabled by leave (*Ms Victoria*).

WANGARATTA RURAL CITY COUNCIL REPORTS — Inspector of Municipal Administration Report on the monitoring of the operations and governance of Wangaratta Rural City Council; and Review of reports and documents and the provision of advice in relation to the Wangaratta Rural City Council tabled by leave (*Mrs Powell*).

Ordered to be printed.

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

Accident Compensation Conciliation Service — Report 2012–13

Commissioner for Law Enforcement Data Security, Office of — Report 2012–13

Confiscation Act 1997 — Report 2012–13 under s 139A

Country Fire Authority — Report 2012–13

Docklands Studios Melbourne Pty Ltd — Report 2012–13

East Gippsland Catchment Management Authority — Report 2012–13

Emerald Tourist Railway Board — Report 2012–13

Environment and Primary Industries, Department of — Report 2012–13

Environment Protection Authority — Report 2012–13

Essential Services Commission — Report 2012–13

Fed Square Pty Ltd — Report 2012–13

Film Victoria — Report 2012–13

Financial Management Act 1994:

Reports from the Minister for Agriculture and Food Security that he had received the reports 2012–13 of:

Murray Valley Wine Grape Industry Development Committee
Northern Victorian Fresh Tomato Industry Development Committee
Phytogene Pty Ltd
Veterinary Practitioners Registration Board of Victoria

Reports from the Minister for Environment and Climate Change that he had received the reports 2012–13 of:

Barwon Regional Waste Management Group
Central Murray Regional Waste Management Group
Desert Fringe Regional Waste Management Group
Gippsland Regional Waste Management Group
Grampians Regional Waste Management Group
Highlands Regional Waste Management Group
Mildura Regional Waste Management Group
North East Regional Waste Management Group
South West Regional Waste Management Group

Forensic Leave Panel — Report 2012

Glenelg Hopkins Catchment Management Authority — Report 2012–13

Goulburn Broken Catchment Management Authority — Report 2012–13

Growth Areas Authority — Report 2012–13

Mallee Catchment Management Authority — Report 2012–13

Melbourne Convention and Exhibition Trust — Report 2012–13

Melbourne and Olympic Parks Trust — Report 2012–13

Metropolitan Fire and Emergency Services Board — Report 2012–13

Parks Victoria — Report 2012–13

Parliamentary Committees Act 2003:

Government response to the Drugs and Crime Prevention Committee's Report on the Inquiry into Strategies to Reduce Assaults in Public Places in Victoria

Government response to the Education and Training Committee's Report on the Inquiry into Agricultural Education and Training

Government response to the Rural and Regional Committee's Report on the Inquiry into the impact of food safety regulation on farms and other businesses

Police Appeals Board — Report 2012–13

Port of Hastings Development Authority — Report 2012–13

Port of Melbourne Corporation — Report 2012–13

Primary Industries, Department of — Report 2012–13

Public Transport Development Authority — Report 2012–13

State Electricity Commission of Victoria — Report 2012–13

State Services Authority — Report 2012–13

State Sport Centres Trust — Report 2012–13

Sustainability Victoria — Report 2012–13

Transport Ticketing Authority — Report 2012–13

Trust for Nature (Victoria) — Report 2012–13

Victoria Police — Report 2012–13

Victorian Civil and Administrative Tribunal — Report 2012–13

Victorian Government Purchasing Board — Report 2012–13

Victorian Institute of Forensic Mental Health — Report 2012–13

Victorian Privacy Commissioner, Office of — Report 2012–13 — Ordered to be printed

Victorian Regional Channels Authority — Report 2012–13

Victorian WorkCover Authority — Report 2012–13

VITS LanguageLink — Report 2012–13.

- 9 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 15 October 2013 (*Ms Asher*) — put and agreed to.

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

- 11 **WORKPLACE INJURY REHABILITATION AND COMPENSATION BILL 2013** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

Mr O'Brien made the statement of intention required by s 85(5)(c) of the Constitution Act 1975.

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

Ordered — That the debate be adjourned until Thursday 17 October 2013.

- 12 **CORRECTIONS AMENDMENT (PAROLE REFORM) BILL 2013** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 3 October 2013.

- 13 **LOCAL GOVERNMENT (RURAL CITY OF WANGARATTA) BILL 2013** — *Mrs Powell tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question — That this Bill be now read a second time (*Mrs Powell*) — and, after debate —

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

Bill sent to the Legislative Council and their agreement requested.

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Catchment and Land Protection Amendment Bill 2013 without amendment.

- 15 **RADIATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 16 **QUESTIONS** — (Under SO 55).

[The Speaker having left the Chair at 2.45 pm, resumed it at 3.02 pm]

Member named and suspended — The Member for Mulgrave (*Mr Andrews*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Mulgrave (*Mr Andrews*) be suspended from the service of the House for three days (*Ms Asher*) — put.

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

AYES 40

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 40

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

The Speaker announced that, as the motion reinforces the Speaker's right under Standing Orders to maintain order in the House, he casts his votes with the ayes.

Question agreed to.

Mr Andrews accordingly withdrew from the Chamber.

- 17 **RADIATION AMENDMENT BILL 2013** — Debate resumed on question — That this Bill be now read a second time.

Allocation of time — *The Speaker advised that the time allocated for consideration of items under the resolution of the House on Tuesday 17 September 2013 had expired.*

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

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

Bill sent to the Legislative Council and their agreement requested.

- 18 **SUPERANNAUTION LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 19 **COURTS LEGISLATION AMENDMENT (JUDICIAL OFFICERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

The Speaker advised that, there being less than the absolute majority of the whole number of the members of the Legislative Assembly supporting the motion, an absolute majority was not obtained, in accordance with s 18 of the *Constitution Act 1975*.

- 20 **CONSUMER AFFAIRS LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 21 **WYNDHAM PLANNING SCHEME AMENDMENT** — Order read for resuming debate on question — That under s 46AH of the *Planning and Environment Act 1987*, Wyndham Planning Scheme Amendment C156 be ratified.

Question — That the motion be agreed to — put.

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

AYES 40

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 39

Ms Allan; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Business having been interrupted at 4.11 pm under sessional orders.

- 22 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.55 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 151, 152 and 153

No 151 — Tuesday 15 October 2013

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** — (Under SO 55).
- 3 **ENERGY LEGISLATION AMENDMENT (GENERAL) BILL 2013** — Ms Asher, on behalf of Mr Kotsiras, obtained leave to bring in a Bill '*for an Act to amend the **Electricity Industry Act 2000** and the **Gas Industry Act 2001** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **COURTS AND OTHER JUSTICE LEGISLATION AMENDMENT BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the **Births, Deaths and Marriages Registration Act 1996**, the **Court Security Act 1980**, the **Legal Profession Act 2004**, the **Magistrates' Court Act 1989**, the **Police Regulation Act 1958**, the **Supreme Court Act 1986** and the **Terrorism (Community Protection) Act 2003**, to repeal the **Courts Legislation (Neighbourhood Justice Centre) Act 2006**, to amend other Acts to update redundant references to the Federal Magistrates Court and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **STATE TAXATION AND FINANCIAL LEGISLATION AMENDMENT BILL 2013** — Mr O'Brien obtained leave to bring in a Bill '*for an Act to amend the **Commonwealth Places (Mirror Taxes Administration) Act 1999**, the **Duties Act 2000**, the **Financial Management Act 1994**, the **Land Tax Act 2005**, the **Taxation Administration Act 1997** and the **Unclaimed Money Act 2008** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **TRANSPORT ACCIDENT AMENDMENT BILL 2013** — Mr O'Brien obtained leave to bring in a Bill '*for an Act to make amendments to the **Transport Accident Act 1986** to further improve the operation of that Act and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **TRANSPORT ACCIDENT FURTHER AMENDMENT BILL 2013** — Mr O'Brien obtained leave to bring in a Bill '*for an Act to amend the **Transport Accident Act 1986** to enable the introduction of a fixed cost model for any claim, application or proceeding under section 93 by Order of the Governor in Council and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2013** — Mr Wells obtained leave to bring in a Bill '*for an Act to amend the **Drugs, Poisons and Controlled Substances Act 1981** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **VICTORIA POLICE BILL 2013** — Mr Wells obtained leave to bring in a Bill '*for an Act to re-enact and modernise the law relating to the governance and regulation of Victoria Police, to retitle and substantially repeal the **Police Regulation Act 1958** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

- 10 **EMERGENCY MANAGEMENT BILL 2013** — Mr Wells obtained leave to bring in a Bill '*for an Act to establish new governance arrangements for emergency management in Victoria, to repeal the Fire Services Commissioner Act 2010, to consequentially amend emergency management legislation and certain other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 11 **ROAD LEGISLATION AMENDMENT BILL 2013** — Mr Mulder obtained leave to bring in a Bill '*for an Act to amend the Road Safety Act 1986 in relation to the demerit point scheme, licensing and registration and other matters, to amend the Heavy Vehicle National Law Application Act 2013 in relation to miscellaneous matters and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 12 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Epping Road Project** — Requesting that the Legislative Assembly urges the Government to fund and commence work on the Epping Road project as a matter of urgency, bearing 17 signatures (*Ms Green*)
- Cuts to Bus Services** — Requesting that the Legislative Assembly urges the Government to — (a) reverse recent cuts to bus services and reinstate these services to deliver better public transport for Greensborough, Doreen and surrounding suburbs; and (b) increase the number of bus services and commit to upgrading public transport infrastructure, bearing 8 signatures (*Ms Green*)
- Pedestrian Road Safety** — Requesting that the Legislative Assembly urges the Government to — (a) fund new bus services, cycle and footpaths in Yan Yean and Bridge Inn Roads; and (b) support Whittlesea and Nillumbik councils to plan and deliver road improvements and safety upgrades, bearing 22 signatures (*Ms Green*)
- Donnybrook Train Station** — Requesting that the Legislative Assembly urges the Government to upgrade the Donnybrook V/Line station and include more commuter car parking and improved lighting, bearing 42 signatures (*Ms Green*)
- Disability Support Pension** — Requesting that the Legislative Assembly urges the Government to reverse the decision to increase the fees to 75 per cent of the Disability Support Pension, bearing 6763 signatures (*Ms Green*).
- Petitions ordered to be tabled.
- 13 **PETITION — EPPING ROAD PROJECT** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.
- 14 **PETITION — CUTS TO BUS SERVICES** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.
- 15 **PETITION — PEDESTRIAN ROAD SAFETY** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.
- 16 **PETITION — DONNYBROOK TRAIN STATION** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.
- 17 **PETITION — DISABILITY SUPPORT PENSION** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.

18 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 13 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Corrections Amendment (Parole Reform) Bill 2013
 Fire Services Levy Monitor Amendment (Ensuring Fair and Equitable Levies) Bill 2013
 Local Government (Rural City of Wangaratta) Bill 2013
 Radiation Amendment Bill 2013
 Tobacco Amendment Bill 2013
 Workplace Injury Rehabilitation and Compensation Bill 2013

together with appendices.

Ordered to be tabled and printed.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented a report from the Scrutiny of Acts and Regulations Committee on the Statute Law Revision Bill 2013, together with an appendix.

Ordered to be tabled and printed.

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

Australian Centre for the Moving Image — Report 2012–13

CenITex — Report 2012–13

Commission for Children and Young People — Report 2012–13

Community Visitors — Report 2012–13 under s 35 of the *Disability Act 2006*, s 116A of the *Mental Health Act 1986* and s 195 of the *Supported Residential Services (Private Proprietors) Act 2010* — Ordered to be printed

Corangamite Catchment Management Authority — Report 2012–13

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Maldon Historic Area

Duties Act 2000 — Reports 2012–13 of exemptions and refunds under ss 250B and 250DD (two documents)

Education and Early Childhood Development, Department of — Report 2012–13 (together with Victorian Skills Commission Report 1 July 2012 to 31 December 2012)

Emergency Services Telecommunications Authority — Report 2012–13

Environment Protection Act 1970 — Order varying the State Environment Protection Policy (Prevention and Management of Contamination of Land)

Financial Management Act 1994:

Financial Report for the State of Victoria 2012–13, incorporating Quarterly Financial Report No 4 — Ordered to be printed

Reports from the Minister for Environment and Climate Change that he had received the reports 2012–13 of:

Commissioner for Environmental Sustainability
 Goulburn Valley Regional Waste Management Group
 Mornington Peninsula Regional Waste Management Group
 Victorian Environmental Water Holder

Reports from the Minister for Public Transport that he had received the reports 2012–13 of:

Rolling Stock (VL-1) Pty Ltd
 Rolling Stock (VL-2) Pty Ltd
 Rolling Stock (VL-3) Pty Ltd
 Taxi Services Commission

Fire Services Commissioner — Report 2012–13

Geelong Performing Arts Centre Trust — Report 2012–13

Greyhound Racing Victoria — Report 2012–13

Harness Racing Victoria — Report 2012–13

Human Services, Department of — Report 2012–13

Independent Broad-based Anti-corruption Commission — Report 2012–13 — Ordered to be printed

Judicial College of Victoria — Report 2012–13

Legal Practitioners Liability Committee — Report 2012–13

Library Board of Victoria — Report 2012–13

Liquor Control Reform Act 1998 — Report 2012–13 under s 148R

Melbourne Market Authority — Report 2012–13

Melbourne Recital Centre Ltd — Report 2012–13 (two documents)

Members of Parliament (Register of Interests) Act 1978 — Summary of returns June 2013 and Summary of variations notified between 25 June 2013 and 30 September 2013 and Summary of primary return September 2013 — Ordered to be printed

Metropolitan Waste Management Group — Report 2012–13

Museums Board of Victoria — Report 2012–13

National Environment Protection Council (Victoria) Act 1995 — Third Review of the Act under s 64 together with National Environment Protection Council Response

National Gallery of Victoria, Council of Trustees — Report 2012–13

North Central Catchment Management Authority — Report 2012–13

North East Catchment Management Authority — Report 2012–13

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

Bayside — C87, C123

Campaspe — C69
 Casey — C163
 Colac Otway — C72 Part 2
 Darebin — C108 Part 1
 Glen Eira — C112
 Greater Bendigo — C192
 Greater Dandenong — C179
 Greater Geelong — C67, C264
 Greater Shepparton — C110, C121
 Melbourne — C218
 Melton — C134, C149
 Moira — C51, C74
 Moreland — C122, C148
 Mornington Peninsula — C170
 Murrindindi — C49
 South Gippsland — C72, C84
 Stonnington — C167
 Surf Coast — C78
 Towong — C29
 Warrnambool — C77
 Whitehorse — C123
 Wodonga — C94, C107
 Wyndham — C86, C148, C168

Police Integrity, Office of — Report period ended 9 February 2013 — Ordered to be printed

Port Phillip and Westernport Catchment Management Authority — Report 2012–13

Public Prosecutions — Director, Committee and Office — Report 2012–13

Public Record Office Victoria — Report 2012–13

Roads Corporation (VicRoads) — Report 2012–13

Rolling Stock Holdings (Victoria) Pty Ltd — Report 2012–13

Rolling Stock (Victoria-VL) Pty Ltd — Report 2012–13

Sentencing Advisory Council — Report 2012–13

State Development, Business and Innovation, Department of — Report 2012–13

Statutory Rules under the following Acts:

Conservation, Forests and Lands Act 1987 — SR 116

County Court Act 1958 — SR 122

Crimes (Controlled Operations) Act 2004 — SR 123

Infringements Act 2006 — SR 114

Magistrates' Court Act 1989 — SR 120, 121

National Parks Act 1975 — SR 115

Road Safety Act 1986 — SR 118

Supreme Court Act 1986 — SR 117, 119

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 114, 115, 116, 117, 118, 119, 120, 121, 122

Documents under s 16B in relation to the *Wildlife Act 1975* — Amendment of the Declaration of Dingo to be Unprotected Wildlife

Surveillance Devices Act 1999 — Reports 2012–13 under s 30L (three documents)

Surveyor-General — Report 2012–13 on the administration of the *Survey Co-ordination Act 1958*

Transport Accident Commission — Report 2012–13

V/Line Corporation — Report 2012–13

V/Line Pty Ltd — Report 2012–13

Victims of Crime Assistance Tribunal — Report 2012–13

Victoria Legal Aid — Report 2012–13

Victoria State Emergency Service Authority — Report 2012–13

Victorian Arts Centre Trust — Report 2012–13

Victorian Catchment Management Council — Report 2012–13

Victorian Commission for Gambling and Liquor Regulation — Report 2012–13

Victorian Equal Opportunity and Human Rights Commission — Report 2012–13 — Ordered to be printed

Victorian Funds Management Corporation — Report 2012–13

Victorian Law Reform Commission:

Report 2012–13 — Ordered to be printed

Succession Laws — Ordered to be printed

Victorian Rail Track — Report 2012–13

Victorian Responsible Gambling Foundation — Report 2012–13

West Gippsland Catchment Management Authority — Report 2012–13

West Gippsland Healthcare Group — Report 2012–13

Wimmera Catchment Management Authority — Report 2012–13.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Company Titles (Home Units) Act 2013 — Whole Act — 1 October 2013 (*Gazette S337, 24 September 2013*)

Fortification Removal Act 2013 — Whole Act — 6 October 2013 (*Gazette S341, 1 October 2013*)

Major Transport Projects Facilitation Amendment (East West Link and Other Projects) Act 2013 — Whole Act — 25 September 2013 (*Gazette S337, 24 September 2013*)

Sustainable Forests (Timber) Amendment Act 2013 — Whole Act (other than s 17 and Division 2 of Part 2) — 1 October 2013 (*Gazette S337, 24 September 2013*).

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

Children, Youth and Families Amendment Bill 2013
Local Government (Rural City of Wangaratta) Bill 2013.

- 20 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 24 September 2013, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Catchment and Land Protection Amendment Bill 2013
Children, Youth and Families Amendment Bill 2013
Local Government (Rural City of Wangaratta) Bill 2013
Plant Biosecurity Amendment Bill 2013
Road Legislation Amendment (Use and Disclosure of Information and Other Matters) Bill 2013
Road Safety and Sentencing Acts Amendment Bill 2013.

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

Tobacco Amendment Bill 2013
Workplace Injury Rehabilitation and Compensation Bill 2013.

- 22 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 17 October 2013:

Corrections Amendment (Parole Reform) Bill 2013
Fisheries Amendment Bill 2013
Professional Boxing and Combat Sports Amendment Bill 2013
Tobacco Amendment Bill 2013
Workplace Injury Rehabilitation and Compensation Bill 2013

(*Ms Asher*) — and, after debate —

Amendment proposed — That the words 'Workplace Injury Rehabilitation and Compensation Bill 2013 be omitted from the motion' (*Mr Merlino*) — and, after debate —

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

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 40

Ms Allan; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Original question — put.

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 40

Ms Allan; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

- 23 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 24 **PROFESSIONAL BOXING AND COMBAT SPORTS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 25 **PROFESSIONAL BOXING AND COMBAT SPORTS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Dr Sykes*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 26 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Radiation Amendment Bill 2013 without amendment.
- 27 **CORRECTIONS AMENDMENT (PAROLE REFORM) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.
- Under standing orders, Mr Wells announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.
- Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 10.00 pm under sessional orders.

- 28 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.46 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 152 — Wednesday 16 October 2013

- 1 The Speaker took the Chair and read the Prayer.
- 2 **CRIMES AMENDMENT (INVESTIGATION POWERS) BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the Crimes Act 1958, the Corrections Act 1986 and the Police Regulation Act 1958 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Geelong Project** — Requesting that the Legislative Assembly urges the Government to immediately guarantee full and ongoing funding to the Geelong Project, bearing 56 signatures (*Mr Trezise*)
- Barwon Health** — Requesting that the Legislative Assembly urges the Government to — (a) stop any privatisation of aged care beds in Victoria, including those within Barwon Health; and (b) stop the proposed reduction of Barwon Health aged care nursing hours at both Wallace Lodge and Alan David Lodge, bearing 149 signatures (*Mr Trezise*)
- East West Link Tunnel** — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West link tunnel, bearing 676 signatures (*Mr Wynne*).
- Petitions ordered to be tabled.
- 4 **PETITION — GEELONG PROJECT** — Motion made and question — That the petition presented by the Member for Geelong be taken into consideration tomorrow (*Mr Trezise*) — put and agreed to.
- 5 **PETITION — BARWON HEALTH** — Motion made and question — That the petition presented by the Member for Geelong be taken into consideration tomorrow (*Mr Trezise*) — put and agreed to.
- 6 **PETITION — EAST WEST LINK TUNNEL** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 7 **DOCUMENTS**
- PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — Mr Morris, Chair, presented a report from the Public Accounts and Estimates Committee on the 2013–14 Budget Estimates Part Two, together with appendices and an extract from the proceedings.

Ordered to be tabled and printed.

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

Auditor-General:

Implementation of the Strengthening Community Organisations Action Plan — Ordered to be printed
Prevention and Management of Drug Use in Prisons — Ordered to be printed

Emergency Services Superannuation Board — Report 2012–13

Members of Parliament (Register of Interests) Act 1978 — Cumulative summary of returns as at 30 September 2013 — Ordered to be printed

Ombudsman — A section 25(2) report concerning the constitutional validity of aspects of Victoria's new integrity legislation — Ordered to be printed

Parliamentary Contributory Superannuation Fund — Report 2012–13

VicForests — Report 2012–13

Surveillance Devices Act 1999 — Reports of the Victorian Inspectorate under s 30Q (three documents).

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Consumer Affairs Legislation Amendment Bill 2013 without amendment.

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

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

11 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Law Reform Committee's Report on the Inquiry into Access to and Interaction with the Justice System by People with an Intellectual Disability and their Families and Carers

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry on Growing the Suburbs: Infrastructure and Business Development in Outer Suburban Melbourne

Rural and Regional Committee's Report on the Inquiry into Food Safety Regulation on Farms and other Businesses

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry into the Liveability Options in Outer Suburban Melbourne

Public Accounts and Estimates Committee's Report on the 2013–14 Budget Estimates Part Two

Scrutiny of Acts and Regulations Committee's Report on the Review of the *Charter of Human Rights and Responsibilities Act 2006*.

12 **SUSPENSION OF STANDING ORDERS** — Motion made and question — That so much of standing orders be suspended so as to allow the third reading of the Courts Legislation Amendment (Judicial Officers) Bill 2013 to be resubmitted immediately (*Ms Asher*) — and, after debate —

Business having been interrupted at 2.00 pm under standing orders.

13 **QUESTIONS** — (Under SO 55).

14 **SUSPENSION OF STANDING ORDERS** — Debate continued on question — That so much of standing orders be suspended so as to allow the third reading of the Courts Legislation Amendment (Judicial Officers) Bill 2013 to be resubmitted immediately.

Question — put.

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

AYES 41

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Walsh; Mr Watt; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 40

Ms Allan; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

15 **COURTS LEGISLATION AMENDMENT (JUDICIAL OFFICERS) BILL 2013** — Order read for the question — That this Bill be now read a third time.

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

Bill sent to the Legislative Council and their agreement requested.

16 **COURTS AND OTHER JUSTICE LEGISLATION AMENDMENT BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 30 October 2013.

17 **STATE TAXATION AND FINANCIAL LEGISLATION AMENDMENT BILL 2013** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 30 October 2013.

- 18 **TRANSPORT ACCIDENT AMENDMENT BILL 2013** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr O'Brien*).
- Motion made and question — That the debate be now adjourned (*Mr Pallas*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 30 October 2013.
- 19 **TRANSPORT ACCIDENT FURTHER AMENDMENT BILL 2013** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr O'Brien*).
- Mr O'Brien made the statement of intention required by s 85(5)(c) of the Constitution Act 1975.*
- Motion made and question — That the debate be now adjourned (*Mr Pallas*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 30 October 2013.
- 20 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2013** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Wells*).
- Motion made and question — That the debate be now adjourned (*Mr Pallas*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 30 October 2013.
- 21 **VICTORIA POLICE BILL 2013** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Wells*).
- Motion made and question — That the debate be now adjourned (*Mr Pallas*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 30 October 2013.
- 22 **EMERGENCY MANAGEMENT BILL 2013** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Wells*).
- Motion made and question — That the debate be now adjourned (*Mr Pallas*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 30 October 2013.
- 23 **ROAD LEGISLATION AMENDMENT BILL 2013** — *Mr Mulder tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Mulder*).
- Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 30 October 2013.

- 24 **ENERGY LEGISLATION AMENDMENT (GENERAL) BILL 2013** — *Mr Kotsiras tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 30 October 2013.

- 25 **FISHERIES AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 26 **TOBACCO AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 27 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.42 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 153 — Thursday 17 October 2013

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

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

Greyhound Racing Victoria — Requesting that the Legislative Assembly urges the Government, in particular the Premier and Minister for Racing, to provide Greyhound Racing Victoria with sufficient resources to support the return of greyhound racing to Wangaratta bearing 826 signatures (*Mr Pakula*)

Animal Cruelty and Negligence — Requesting that the Legislative Assembly urges the Government to implement tougher penalties for animal cruelty, including heavy fines, criminal convictions and jail sentences bearing 388 signatures (*Ms Wreford*)

Cat and Dog Breed Microchipping and Tracking — Requesting that the Legislative Assembly urges the Government to require breeders, at their own expense, to microchip dogs and cats before supplying to pet shops or consumers so they can be traced through a registry, bearing 572 signatures (*Ms Wreford*).

Petitions ordered to be tabled.

- 3 **PETITION — GREYHOUND RACING VICTORIA** — Motion made and question — That the petition presented by the Member for Lyndhurst be taken into consideration tomorrow (*Mr Pakula*) — put and agreed to.
- 4 **PETITION — ANIMAL CRUELTY AND NEGLIGENCE** — Motion made and question — That the petition presented by the Member for Mordialloc be taken into consideration tomorrow (*Ms Wreford*) — put and agreed to.
- 5 **PETITION — CAT AND DOG BREED MICROCHIPPING AND TRACKING** — Motion made and question — That the petition presented by the Member for Mordialloc be taken into consideration tomorrow (*Ms Wreford*) — put and agreed to.
- 6 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Building Commission — Report 2012–13
- Confiscation Act 1997* — Asset Confiscation Operations Report 2012–13
- Consumer Affairs Victoria — Report 2012–13 — Ordered to be printed
- Crown Land (Reserves) Act 1978* — Order under s 17D granting a lease over Victoria Park Reserve
- Electoral Boundaries Commission — Report on the 2012–13 Redivision of Electoral Boundaries
- Financial Management Act 1994* — Report from the Minister for Planning that he had received the Report 2012–13 of the Architects Registration Board of Victoria
- Freedom of Information Commissioner — Report 2012–13
- Greater Metropolitan Cemeteries Trust — Report 2012–13
- Justice, Department of — Report 2012–13
- Mallee Track Health and Community Service — Report 2012–13
- Parliamentary Committees Act 2003* — Government response to the Environment and Natural Resources Committee's Report on the Inquiry into flood mitigation infrastructure in Victoria
- Places Victoria — Report 2012–13
- Plumbing Industry Commission — Report 2012–13
- Residential Tenancies Bond Authority — Report 2012–13
- Royal Victorian Eye and Ear Hospital — Report 2012–13
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rule 124
- Terang and Mortlake Health Service — Report 2012–13
- Victorian Institute of Forensic Medicine — Report 2012–13 (two documents).
- 7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 29 October 2013 (*Ms Asher*) — put and agreed to.
- 8 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 9 **CRIMES AMENDMENT (INVESTIGATION POWERS) BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 31 October 2013.

- 10 **WORKPLACE INJURY REHABILITATION AND COMPENSATION BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

Business having been interrupted at 2.00 pm under standing orders.

- 11 **QUESTIONS** — (Under SO 55).

- 12 **WORKPLACE INJURY REHABILITATION AND COMPENSATION BILL 2013** — Debate resumed on question — That this Bill be now read a second time.

Bill read a second time, considered in detail and agreed to with amendments (*see pp 699–701*).

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly

Bill sent to the Legislative Council and their agreement requested.

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

Open Courts Bill 2013

Superannuation Legislation Amendment Bill 2013.

- 14 **FISHERIES AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 15 October 2013 had expired.

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

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

Bill sent to the Legislative Council and their agreement requested.

- 15 **TOBACCO AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 16 **PROFESSIONAL BOXING AND COMBAT SPORTS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 17 **CORRECTIONS AMENDMENT (PAROLE REFORM) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 and 2 be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 4.02 pm under sessional orders.

- 18 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.40 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 151, 152 and 153

No 153 — Thursday 17 October 2013

WORKPLACE INJURY REHABILITATION AND COMPENSATION BILL 2013

Clause 1 agreed to.

Clause 2, *The Deputy Speaker advised that if amendment No 1 is not agreed to, amendment Nos 2 and 12 cannot be moved as they are consequential.*

Mr Scott moved amendment No 1 (*see Schedule*).

Amendment put and agreed to.

Mr Scott moved amendment No 2 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 3 to 199 agreed to.

Clause 200, *The Deputy Speaker advised that if amendment No 3 is not agreed to, amendment No 4 cannot be moved as it is consequential.*

Mr Scott moved amendment No 3 (*see Schedule*).

Amendment put and agreed to.

Mr Scott moved amendment No 4 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 201 to 268 agreed to.

Clause 269, Mr Scott moved amendment No 5 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 270 to 312 agreed to.

Clause 313, *The Deputy Speaker advised that if amendment No 7 is not agreed to, amendment Nos 9 and 10 cannot be moved as they are consequential.*

Mr Scott moved amendment No 6 (*see Schedule*).

Amendment put and agreed to.

Mr Scott moved amendment No 7 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 314 to 332 agreed to.

Clause 333, Mr Scott moved amendment No 8 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 334 to 617 agreed to.

Clause 618, Mr Scott moved amendment No 9 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 619 to 625 agreed to.

Clause 626, Mr Scott moved amendment No 10 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 627 to 634 agreed to.

Clause 635, Mr Scott, by leave, moved amendment No 11 in an amended form (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 636 to 639 agreed to.

Clause 640, Mr Scott moved amendment No 12 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 641 to 650 agreed to.

Schedules 1 to 9 agreed to.

Bill agreed to as amended.

SCHEDULE OF AMENDMENTS MOVED

WORKPLACE INJURY REHABILITATION AND COMPENSATION BILL 2013

Amendments moved by Mr Scott

1. Clause 2, page 2, line 23, omit ", 640(2)".
2. Clause 2, page 2, line 27, omit ", 640(2)".
3. Clause 200, page 219, line 30, omit "or other".
4. Clause 200, page 220, line 4, omit "and other".
5. Clause 269, line 17, omit "evidence given or".
6. Clause 313, page 323, line 7, after "question" insert "relating to a claim for a benefit under Part 5".
7. Clause 313, page 324, lines 1 to 16, omit subclauses (5) and (6).
8. Clause 333, page 346, lines 1 to 4, omit subclause (2) and insert—
"() Subsection (1) does not apply to the commencement of proceedings brought in accordance with leave given under section 335(2)(d).".
9. Clause 618, line 13, omit "313(5)".
10. Clause 626, page 643, lines 7 to 26, omit subclause (8).
11. Clause 635, page 665, lines 22 to 32, omit subclause (1) and insert—
'() In section 104B(1) of the **Accident Compensation Act 1985** for "this section applies" **substitute** "this section, and section 6(1) and Divisions 1 and 2 of Part 2 of the **Workplace Injury Rehabilitation and Compensation Act 2013** apply.".'.
12. Clause 640, lines 23 to 29, omit subclause (2).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 154, 155 and 156

No 154 — Tuesday 29 October 2013

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

2 **QUESTIONS** — (Under SO 55).

3 **DEPUTY IBAC COMMISSIONER** — The Speaker advised that, on 24 October 2013, he administered to Geoffrey Horgan, SC, the Deputy Commissioner, Independent Broad-based Anti-corruption Commission, the oath required by s 31 of the *Independent Broad-based Anti-corruption Commission Act 2011*.

4 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR IMPROVEMENT) BILL 2013** — Dr Napthine obtained leave to bring in a Bill '*for an Act to amend the **Public Administration Act 2004** to establish the Victorian Public Sector Commission to replace the State Services Authority and provide for its governance, functions and powers and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **SUSTAINABLE FORESTS (TIMBER) AND WILDLIFE AMENDMENT BILL 2013** — Mr Walsh obtained leave to bring in a Bill '*for an Act to amend the **Sustainable Forests (Timber) Act 2004**, the **Wildlife Act 1975** and the **Safety on Public Land Act 2004** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **COURT SERVICES VICTORIA BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to establish **Court Services Victoria** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the **Confiscation Act 1997**, the **Crimes Act 1958**, the **Criminal Procedure Act 2009**, the **Public Prosecutions Act 1994**, the **Family Violence Protection Act 2008**, the **Personal Safety Intervention Orders Act 2010**, the **Racing Act 1958**, the **Road Safety Camera Commissioner Act 2011**, the **Sentencing Act 1991**, the **Sentencing Amendment (Abolition of Suspended Sentences and Other Matters) Act 2013**, the **Sex Work Act 1994** and the **Summary Offences Act 1966** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

8 **GAMBLING REGULATION AMENDMENT (PRE-COMMITMENT) BILL 2013** — Mr O'Brien obtained leave to bring in a Bill '*for an Act to amend the **Gambling Regulation Act 2003** to provide for a pre-commitment scheme to be imposed in relation to gaming machines from 1 December 2015 at the direction of the Minister and to make related amendments to the **Casino Control Act 1991** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

9 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2013** — Mr Kotsiras obtained leave to bring in a Bill '*for an Act to amend the **Mineral Resources (Sustainable Development) Act 1990** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

10 **DISABILITY AMENDMENT BILL 2013** — Ms Wooldridge obtained leave to bring in a Bill '*for an Act to amend the **Disability Act 2006** in relation to the review by VCAT of a decision of a disability*

service provider to issue a notice of a proposed increase in a residential charge and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 11 **EDUCATION AND TRAINING REFORM AMENDMENT (DUAL SECTOR UNIVERSITIES) BILL 2013** — Mr Dixon obtained leave to bring in a Bill *for an Act to amend the **Education and Training Reform Act 2006** to remove references to universities with TAFE divisions and to make related consequential amendments to that Act and to other Acts and to amend the **Borrowing and Investment Powers Act 1987** so that TAFE institutes may have borrowing and investment powers under that Act and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 12 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2013** — Mr Smith (*Warrandyte*) obtained leave to bring in a Bill *for an Act to amend the **Crown Land (Reserves) Act 1978**, the **National Parks Act 1975**, the **Carlton (Recreation Ground) Land Act 1966**, the **Land (Miscellaneous Matters) Act 1988**, the **Land (Reservations and other Matters) Act 1997**, the **Shrine of Remembrance Act 1978** and the **Water Industry Act 1994** and to revoke certain permanent Crown land reservations and Crown grants and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Boronia Heights Primary School — Requesting that the Legislative Assembly urges the Government to reassess its priorities and include Boronia Heights Primary School in a State Government Capital Investment Program, rather than just delivering maintenance funding, bearing 1099 signatures (*Ms Victoria*)

Point Gellibrand Hazard Facilities — Requesting that the Legislative Assembly urges the Government to initiate a parliamentary inquiry into the appropriateness of allowing new residential developments within close proximity to major hazard facilities and further request that a state emergency evacuation plan is prepared for Point Gellibrand, bearing 376 signatures (*Mr Noonan*).

Petitions ordered to be tabled.

- 14 **PETITION — BORONIA HEIGHTS PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Mr Merlino*) — put and agreed to.

- 15 **PETITION — POINT GELLIBRAND HAZARD FACILITIES** — Motion made and question — That the petition presented by the Member for Williamstown be taken into consideration tomorrow (*Mr Noonan*) — put and agreed to.

- 16 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 14 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Courts and Other Justice Legislation Amendment Bill 2013
 Crimes Amendment (Investigation Powers) Bill 2013
 Drugs, Poisons and Controlled Substances Amendment Bill 2013
 Emergency Management Bill 2013
 Energy Legislation Amendment (General) Bill 2013
 Residential Tenancies Amendment (Housing Standards) Bill 2013
 Road Legislation Amendment Bill 2013
 State Taxation and Financial Legislation Amendment Bill 2013

Transport Accident Amendment Bill 2013
Transport Accident Further Amendment Bill 2013
Victoria Police Bill 2013

together with appendices.

Ordered to be tabled and printed.

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

Beaufort and Skipton Health Service — Report 2012–13

Casterton Memorial Hospital — Report 2012–13

Cobram District Health — Report 2012–13

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Yarra Bend Park

EastLink Project Act 2004 — EastLink Third Amending Deed

Edenhope and District Memorial Hospital — Report 2012–13

Financial Management Act 1994:

Reports from the Minister for Health that he had received the reports 2012–13 of the:

Ballaarat General Cemeteries Trust

Mildura Cemetery Trust

Victorian Assisted Reproductive Treatment Authority

Victorian Pharmacy Authority

Report from the Minister for Planning that he had received the Report 2012–13 of the Surveyors Registration Board of Victoria

Inglewood and Districts Health Service — Report 2012–13

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 126 (*Gazette G43, 24 October 2013*)

Legal Services Board and Legal Services Commissioner — Report 2012–13 — Ordered to be printed

Lorne Community Hospital — Report 2012–13

Nathalia District Hospital — Report 2012–13

Numurkah District Health Service — Report 2012–13

Omeo District Health — Report 2012–13

Orbost Regional Health — Report 2012–13

Otway Health and Community Services — Report 2012–13

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

Ballarat — C171

Brimbank — C146

East Gippsland — C87
 Frankston — C77
 Greater Geelong — C242
 Melbourne — C219
 Melton — C135, C141
 Stonnington — C171
 Victoria Planning Provisions — VC102
 Wyndham — C179
 Yarra — C170
 Yarra Ranges — C115

Professional Standards Act 2003 — Institute of Chartered Accountants in Australia (Vic) Scheme under s 14 (*Gazette S348, 7 October 2013*)

Queen Elizabeth Centre — Report 2012–13

Rochester and Elmore District Health Service — Report 2012–13

Rural Northwest Health — Report 2012–13

Sex Work Act 1994 — Report 2012 under s 21L

Statutory Rules under the following Acts:

Charter of Human Rights and Responsibilities Act 2006 — SR 129

Dangerous Goods Act 1985 — SR 125

Major Transport Projects Facilitation Act 2009 — SR 130

Mineral Resources (Sustainable Development) Act 1990 — SR 126

Planning and Environment Act 1987 — SR 127

Subdivision Act 1988 — SR 128

Victorian Civil and Administrative Tribunal Act 1998 — SR 124

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 125, 126, 127, 128, 129

Documents under s 16B in relation to *Family Violence Protection Act 2008*:

Specification of relevant court for the making of counselling orders in relation to the Frankston venue of the Magistrates' Court of Victoria

Specification of relevant court for the making of counselling orders in relation to the Moorabbin venue of the Magistrates' Court of Victoria

Specification of postcode areas of residence of respondents for the making of counselling orders in relation to the Frankston venue of the Magistrates' Court of Victoria

Specification of postcode areas of residence of respondents for the making of counselling orders in relation to the Moorabbin venue of the Magistrates' Court of Victoria

Timboon and District Healthcare Service — Report 2012–13

Treasury and Finance, Department of — Report 2012–13

Upper Murray Health and Community Services — Report 2012–13

West Wimmera Health Service — Report 2012–13

Yarrawonga Health — Report 2012–13

Yea and District Memorial Hospital — Report 2012–13.

- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Succession to the Crown (Request) Bill 2013 without amendment.
- 18 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 22 October 2013, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:
- Consumer Affairs Legislation Amendment Bill 2013
Open Courts Bill 2013
Radiation Amendment Bill 2013
Succession to the Crown (Request) Bill 2013
Superannuation Legislation Amendment Bill 2013.
- 19 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:
- Courts and Other Justice Legislation Amendment Bill 2013
Emergency Management Bill 2013
State Taxation and Financial Legislation Amendment Bill 2013
Victoria Police Bill 2013.
- 20 **ORDERS OF THE HOUSE RESCINDED** — Motion made, by leave, and question — That the Orders of the House making the resumption of debate on the second readings of the:
- (1) Courts and Other Justice Legislation Amendment Bill 2013; and
- (2) Emergency Management Bill 2013 —
- Orders of the Day for Wednesday 30 October 2013, be read and rescinded and that the Bills be made Orders of the Day for today (*Ms Asher*) — put and agreed to.
- 21 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 31 October 2013:
- Courts and Other Justice Legislation Amendment Bill 2013
Emergency Management Bill 2013
Road Legislation Amendment Bill 2013
State Taxation and Financial Legislation Amendment Bill 2013
Statute Law Revision Bill 2013
Transport Accident Amendment Bill 2013
Transport Accident Further Amendment Bill 2013
- (*Ms Asher*) — put, after debate, and agreed to.
- 22 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 23 **STATUTE LAW REVISION BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 24 **EMERGENCY MANAGEMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

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

Courts Legislation Amendment (Judicial Officers) Bill 2013
Fisheries Amendment Bill 2013.

- 26 **COURTS AND OTHER JUSTICE LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 27 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.45 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 155 — Wednesday 30 October 2013

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

- 2 **TRANSPORT (COMPLIANCE AND MISCELLANEOUS) AMENDMENT (ON-THE-SPOT PENALTY FARES) BILL 2013** — Mr Mulder obtained leave to bring in a Bill '*for an Act to amend the Transport (Compliance and Miscellaneous) Act 1983 to provide for on-the-spot penalty fares and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Boyne Russell House — Requesting that the Legislative Assembly urges the Government to stop the privatisation or closure of Boyne Russell House, bearing 865 signatures (*Ms Garrett*)

East West Link Tunnel — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West link tunnel, bearing 165 signatures (*Mr Wynne*).

Petitions ordered to be tabled.

- 4 **PETITION — EAST WEST LINK TUNNEL** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.

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

Alexandra District Hospital — Report 2012–13

Auditor-General:

Clinical ICT Systems in the Victorian Public Health Sector — Ordered to be printed
Implementation of the Government Risk Management Framework — Ordered to be printed

Beechworth Health Service — Report 2012–13

Benalla Health — Report 2012–13

Calvary Health Care Bethlehem Ltd — Report 2012–13

Colac Area Health — Report 2012–13

Dunmunkle Health Services — Report 2012–13

East Grampians Health Service — Report 2012–13

East Wimmera Health Service — Report 2012–13

Echuca Regional Health — Report 2012–13

Financial Management Act 1994 — Report from the Minister for Health that he had received the Report 2012–13 of Tweddle Child and Family Health Service

Gippsland Southern Health Service — Report 2012–13

Hepburn Health Service — Report 2012–13

Hesse Rural Health Service — Report 2012–13

Heywood Rural Health — Report 2012–13

Kerang District Health — Report 2012–13

Kilmore and District Hospital — Report 2012–13

Kooweerup Regional Health Service — Report 2012–13

Mansfield District Hospital — Report 2012–13

Maryborough District Health Service — Report 2012–13

Moyne Health Services — Report 2012–13

Parliamentary Committees Act 2003 — Government Response to the Public Accounts and Estimates Committee's Report on the 2011–12 Financial and Performance Outcomes

Portland District Health — Report 2012–13

South Gippsland Hospital — Report 2012–13

Stawell Regional Health — Report 2012–13

Western District Health Service — Report 2012–13

Wimmera Health Care Group — Report 2012–13

Yarram and District Health Service — Report 2012–13.

- 6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Corrections Amendment (Parole Reform) Bill 2013 without amendment.

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

- 8 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — FIRE SERVICES PROPERTY LEVY** — The House was informed that Mr Pallas had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Napthine Government for the bungled implementation of the Fire Services Property Levy, notes the pain which this has caused to residents and businesses across Victoria, and notes that this comes at a time when the Government has cut \$66 million from Victoria's fire services.'

Mr Pallas addressed the House — Discussion followed.

- 9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Environment and Natural Resources Committee's Report on the Inquiry into the establishment and effectiveness of Registered Aboriginal Parties

Public Accounts and Estimates Committee's Report on the 2013–14 Budget Estimates Part Two

Rural and Regional Committee's Report on the Inquiry into the Capacity of the Farming Sector to Attract and Retain Young Farmers and Respond to an Ageing Workforce

Rural and Regional Committee's Report on the Inquiry into the Impact of Food Safety Regulation on Farms and Other Businesses

Economic Development and Infrastructure Committee's Report on the Inquiry into Local Economic Development Initiatives in Victoria

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry into the Liveability Options in Outer Suburban Melbourne.

- 10 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR IMPROVEMENT) BILL 2013** — *Dr Napthine tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 13 November 2013.

- 11 **COURT SERVICES VICTORIA BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 13 November 2013.

Business having been interrupted at 2.00 pm under standing orders.

12 **QUESTIONS** — (Under SO 55).

13 **JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 13 November 2013.

14 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2013** — *Mr Kotsiras tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 13 November 2013.

15 **DISABILITY AMENDMENT BILL 2013** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 13 November 2013.

16 **TRANSPORT ACCIDENT AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

17 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.40 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 156 — Thursday 31 October 2013

1 The Speaker took the Chair and read the Prayer.

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

East West Link Tunnel — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West link tunnel, bearing 18 signatures (*Ms Garrett*)

Caroline Springs Police Station — Requesting that the Legislative Assembly urges the Government to guarantee that it will make the community safe again by providing more police officers to be based at Caroline Springs Police Station and for the station to be opened 24 hours a day seven days a week, bearing 61 signatures (*Ms Hutchins*)

Abortion — Requesting that the Legislative Assembly urges the Government to protect the doctors, nurses and allied health professionals in Victoria, who care for mothers and their unborn children, because no Victorian health professional should be forced to act against their conscience and refer a patient for an abortion, especially when abortions do not require referral, bearing 13 and 28 signatures (*Mr Crisp and Mr Katos respectively*)

Monash Freeway (M1) in Endeavour Hills — Requesting that the Legislative Assembly urges the Minister for Roads to address issues on the Monash Freeway (M1) in Endeavour Hills and provide new funding for improvements, bearing 251 signatures (*Mr Donnellan*)

Point Gellibrand Hazard Facilities — Requesting that the Legislative Assembly urges the Government to initiate a parliamentary inquiry into the appropriateness of allowing new residential developments within close proximity to major hazard facilities and further request that a state emergency evacuation plan is prepared for Point Gellibrand, bearing 142 signatures (*Mr Noonan*).

Petitions ordered to be tabled.

3 **PETITION — CAROLINE SPRINGS POLICE STATION** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

4 **PETITION — ABORTION** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

5 **PETITION — MONASH FREEWAY (M1) IN ENDEAVOUR HILLS** — Motion made and question — That the petition presented by the Member for Narre Warren North be taken into consideration tomorrow (*Mr Donnellan*) — put and agreed to.

6 **PETITION — POINT GELLIBRAND HAZARD FACILITIES** — Motion made and question — That the petition presented by the Member for Williamstown be taken into consideration tomorrow (*Mr Noonan*) — put and agreed to.

7 **DOCUMENTS**

PARTNERSHIPS VICTORIA PROJECT SUMMARY: BENDIGO HOSPITAL PROJECT — Report tabled by leave (*Ms Wooldridge*).

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

Albury Wodonga Health — Report 2012–13

Alfred Health — Report 2012–13

Alpine Health — Report 2012–13

Ambulance Victoria — Report 2012–13

Austin Health — Report 2012–13

Bairnsdale Regional Health Service — Report 2012–13

Ballarat Health Services — Report 2012–13

Barwon Health — Report 2012–13

Bass Coast Regional Health — Report 2012–13

Bendigo Health Care Group — Report 2012–13

Castlemaine Health — Report 2012–13

Central Gippsland Health Service — Report 2012–13

Dental Health Services Victoria — Report 2012–13

Djerriwarrh Health Services — Report 2012–13

Eastern Health — Report 2012–13

Financial Management Act 1994 — Report from the Minister for Health that he had received the Report 2012–13 of the Bendigo Cemeteries Trust

Goulburn Valley Health — Report 2012–13

Health Services Commissioner, Office of — Report 2012–13

Health, Department of — Report 2012–13

Heathcote Health — Report 2012–13

Kyabram and District Health Services — Report 2012–13

Kyneton District Health Service — Report 2012–13

Latrobe Regional Hospital — Report 2012–13

Melbourne Health — Report 2012–13

Mercy Public Hospitals Inc — Report 2012–13

Monash Health — Report 2012–13

National Parks Act 1975 — Advice under s 11

Northeast Health Wangaratta — Report 2012–13

Northern Health — Report 2012–13

Peninsula Health — Report 2012–13 (two documents)

Peter MacCallum Cancer Centre — Report 2012–13

Royal Children's Hospital — Report 2012–13

Royal Women's Hospital — Report 2012–13

Seymour Health — Report 2012–13

South West Healthcare — Report 2012–13

St Vincent's Hospital (Melbourne) Ltd — Report 2012–13

Tallangatta Health Service — Report 2012–13

Western Health — Report 2012–13.

- 8 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 12 November 2013 (*Ms Asher*) — put and agreed to.

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

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

- 11 **TRANSPORT ACCIDENT FURTHER AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 12 **STATE TAXATION AND FINANCIAL LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 13 **ROAD LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 14 **TRANSPORT ACCIDENT AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

15 **QUESTIONS** — (Under SO 55).

16 **TRANSPORT ACCIDENT AMENDMENT BILL 2013** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 29 October 2013 had expired.

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

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

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Dr Naphine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Ms Allan; Mr Andrews; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

17 **TRANSPORT ACCIDENT FURTHER AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Dr Naphine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Ms Allan; Mr Andrews; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Bill read a third time without the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 18 **STATE TAXATION AND FINANCIAL LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 19 **ROAD LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 20 **STATUTE LAW REVISION BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 21 **COURTS AND OTHER JUSTICE LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 22 **EMERGENCY MANAGEMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 4.13 pm under sessional orders.

Motion made and question — That the sitting be continued (*Ms Asher*) — put and agreed to.

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

Professional Boxing and Combat Sports Amendment Bill 2013
Tobacco Amendment Bill 2013.

- 24 **SUSTAINABLE FORESTS (TIMBER) AND WILDLIFE AMENDMENT BILL 2013** — *Mr Walsh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 14 November 2013.

- 25 **GAMBLING REGULATION AMENDMENT (PRE-COMMITMENT) BILL 2013** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 14 November 2013.

- 26 **TRANSPORT (COMPLIANCE AND MISCELLANEOUS) AMENDMENT (ON-THE-SPOT PENALTY FARES) BILL 2013** — *Mr Mulder tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 14 November 2013.

- 27 **EDUCATION AND TRAINING REFORM AMENDMENT (DUAL SECTOR UNIVERSITIES) BILL 2013** — *Mr Dixon tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 14 November 2013.

- 28 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2013** — *Mr Smith (Warrandyte) tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 14 November 2013.

- 29 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Asher*) — put and agreed to.

- 30 **ADJOURNMENT** — The Speaker left the Chair, after debate, at 5.33 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 157, 158 and 159

No 157 — Tuesday 12 November 2013

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **TYPHOON HAIYAN, THE PHILIPPINES** — Motion made, by leave, and question — That we, the Legislative Assembly of Victoria:
 - (1) offer our deepest and sincere condolences to the Government and people of the Philippines, following the devastation of Super Typhoon Haiyan;
 - (2) commit \$100,000 from Victoria to the Australian Red Cross Typhoon Haiyan Appeal;
 - (3) support the Australian Government in offering assistance to the Philippines;
 - (4) note the scale of the humanitarian emergency and the immense human cost of this devastating event;
 - (5) recognise the Filipino community here in Victoria and express our sympathy and support;
 - (6) recognise the efforts of the relief workers struggling to provide aid to communities affected by this disaster; and
 - (7) join with all the people of the State of Victoria in expressing our sympathy and our strong support for the recovery of the Philippines from this calamity —

(*Dr Naphine*) — put, after members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 3 **QUESTIONS** — (Under SO 55).
- 4 **DOMESTIC ANIMALS AMENDMENT BILL 2013** — Mr Walsh obtained leave to bring in a Bill '*for an Act to amend the **Domestic Animals Act 1994** and the **Crimes Act 1958** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **ELECTRICITY SAFETY AMENDMENT (BUSHFIRE MITIGATION) BILL 2013** — Mr Kotsiras obtained leave to bring in a Bill '*for an Act to amend the **Electricity Safety Act 1998** in relation to the mitigation of bushfire risks arising from electric lines and electricity networks and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **OWNERS CORPORATIONS AMENDMENT BILL 2013** — Ms Victoria obtained leave to bring in a Bill '*for an Act to amend the **Owners Corporations Act 2006** in relation to the levying of fees, and the recovery of costs, for repairs, maintenance or other works and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **TRAVEL AGENTS REPEAL BILL 2013** — Ms Victoria obtained leave to bring in a Bill '*for an Act to repeal the **Travel Agents Act 1986** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Early Childhood Intervention Services — Requesting that the Legislative Assembly urges the Government to — (a) fund a minimum of 50 additional Early Childhood Intervention Services places at Kalparrin Early Intervention Service; and (b) reinstate the former Kalparrin-run Northern Early Support Service to assist families on the waiting list for early intervention places, bearing 11 signatures (*Mr Brooks*)

Public Aged Care Facilities — Requesting that the Legislative Assembly calls on the Government to stop the privatisation or closure of public sector residential aged care facilities, bearing 99 signatures (*Mr Brooks*)

Bus Services in Keysborough and Dandenong South — Requesting that the Legislative Assembly urges the Government to introduce additional bus routes and increase the frequency of existing bus services in the Keysborough and Dandenong South areas, bearing 363 signatures (*Mr Pakula*).

Petitions ordered to be tabled.

9 **PETITION — EARLY CHILDHOOD INTERVENTION SERVICES** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

10 **PETITION — PUBLIC AGED CARE FACILITIES** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

11 **DOCUMENTS**

VICTORIAN LAW REFORM COMMISSION — Report on Birth Registration and Birth Certificates tabled by leave (*Mr Clark*).

Ordered to be printed.

EDUCATION AND TRAINING COMMITTEE — Mr Crisp presented a report from the Education and Training Committee on the Inquiry into the Extent, Benefits and Potential of Music Education in Victorian Schools, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices printed.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Gidley presented the Alert Digest No 15 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Courts and Other Justice Legislation Amendment Bill 2013
 Court Services Victoria Bill 2013
 Disability Amendment Bill 2013
 Education and Training Reform Amendment (Dual Sector Universities) Bill 2013
 Gambling Regulation Amendment (Pre-commitment) Bill 2013
 Justice Legislation Amendment (Miscellaneous) Bill 2013
 Mineral Resources (Sustainable Development) Amendment Bill 2013
 Parks and Crown Land Legislation Amendment Bill 2013
 Public Administration Amendment (Public Sector Improvement) Bill 2013
 Sustainable Forests (Timber) and Wildlife Amendment Bill 2013
 Transport (Compliance and Miscellaneous) Amendment (On-the-Spot Penalty Fares) Bill 2013
 Victoria Police Bill 2013
 Workplace Injury Rehabilitation and Compensation Bill 2013

together with appendices.

Ordered to be tabled and printed.

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

Australian Health Practitioner Regulation Agency — Report 2012–13

Financial Management Act 1994 — Reports from the Minister for Environment and Climate Change that he had received the reports 2012–13 of the:

Calder Regional Waste Management Group
Gunaikurnai Traditional Owner Land Management Board

Gambling Regulation Act 2003 — Amendments to Category 1 and Category 2 Public Lottery Licences under s 5.3.19 (three documents)

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

Ararat — C27
Banyule — C97
Boroondara — C158, C187
Campaspe — C96
Corangamite — C31
Greater Geelong — C268, C286
Manningham — C99
Moonee Valley — C131, C135
Northern Grampians — C15
Pyrenees — C37
South Gippsland — C77 Part 1
Strathbogie — C57
Wyndham — C184
Yarra Ranges — C117, C124

Professional Standards Council — Report 2012–13 (two documents)

Statutory Rules under the following Acts:

County Court Act 1958 — SR 136
Electricity Safety Act 1998 — SR 131
Planning and Environment Act 1987 — SR 132
Road Safety Act 1986 — SRs 133, 134, 135

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 123, 130, 132, 133, 134, 135, 136
Documents under s 16B in relation to the *Education and Training Reform Act 2006*:
Ministerial Order 698
Ministerial Order 699.

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Workplace Injury Rehabilitation and Compensation Bill 2013 without amendment.

- 13 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

On 6 November 2013

Corrections Amendment (Parole Reform) Bill 2013

Courts Legislation Amendment (Judicial Officers) Bill 2013

Fisheries Amendment Bill 2013

Professional Boxing and Combat Sports Amendment Bill 2013

Tobacco Amendment Bill 2013

On 12 November 2013

Workplace Injury Rehabilitation and Compensation Bill 2013.

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

Court Services Victoria Bill 2013

Education and Training Reform Amendment (Dual Sector Universities) Bill 2013

Gambling Regulation Amendment (Pre-commitment) Bill 2013

Justice Legislation Amendment (Miscellaneous) Bill 2013

Public Administration Amendment (Public Sector Improvement) Bill 2013

Sustainable Forests (Timber) and Wildlife Amendment Bill 2013

Transport (Compliance and Miscellaneous) Amendment (On-the-Spot Penalty Fares) Bill 2013.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 14 November 2013:

Crimes Amendment (Investigation Powers) Bill 2013

Disability Amendment Bill 2013

Education and Training Reform Amendment (Dual Sector Universities) Bill 2013

Energy Legislation Amendment (General) Bill 2013

Justice Legislation Amendment (Miscellaneous) Bill 2013

Transport (Compliance and Miscellaneous) Amendment (On-the-Spot Penalty Fares) Bill 2013

Victoria Police Bill 2013

(*Ms Asher*) — after debate, put.

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

AYES 41

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Mr Shaw; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question defeated.

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

17 **CRIMES AMENDMENT (INVESTIGATION POWERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

18 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.40 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 158 — Wednesday 13 November 2013

1 The Speaker took the Chair and read the Prayer.

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

Cyril Jewell House — Requesting that the Legislative Assembly calls on the Government to stop the privatisation or closure of Cyril Jewell House in Keilor East, bearing 38 signatures (*Mr Carroll*).

Ordered to be tabled.

3 **DOCUMENT**

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE — Mr McGuire, Deputy Chair, presented a report from the Family and Community Development Committee on the Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices printed.

4 **PETITION — CYRIL JEWELL HOUSE** — Motion made and question — That the petition presented by the Member for Niddrie be taken into consideration tomorrow (*Mr Carroll*) — put and agreed to.

5 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document in accordance with an Act of Parliament:

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

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

Courts and Other Justice Legislation Amendment Bill 2013
 State Taxation and Financial Legislation Amendment Bill 2013
 Statute Law Revision Bill 2013.

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

- 8 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — VICTORIA'S CREDIT RATING** — The House was informed that Mr Ryan had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes the recent confirmation by Standard and Poors of Victoria's AAA credit rating with a stable outlook and commends the Government for its fiscal management which continues to provide a solid platform for jobs growth and improved services and infrastructure for Victorian families and businesses.'

Mr Ryan addressed the House — Discussion followed.

- 9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Family and Community Development Committee's Report on the Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations

Economic Development and Infrastructure Committee's Report on the Inquiry into Local Economic Development Initiatives in Victoria.

- 10 **DOMESTIC ANIMALS AMENDMENT BILL 2013** — *Mr Walsh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 27 November 2013.

- 11 **ELECTRICITY SAFETY AMENDMENT (BUSHFIRE MITIGATION) BILL 2013** — *Mr Kotsiras tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 27 November 2013.

- 12 **OWNERS CORPORATIONS AMENDMENT BILL 2013** — *Ms Victoria tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 27 November 2013.

Business having been interrupted at 2.00 pm under standing orders.

13 **QUESTIONS** — (Under SO 55).

14 **TRAVEL AGENTS REPEAL BILL 2013** — *Ms Victoria tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 27 November 2013.

15 **CRIMES AMENDMENT (INVESTIGATION POWERS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time, considered in detail and agreed to without amendment, read a third time (*see p 727*).

Bill sent to the Legislative Council and their agreement requested.

16 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 6 to 8 inclusive, be postponed until later this day.

17 **DISABILITY AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the Government has completed a review into disability accommodation fees and charges, following appropriate consultation with residents, carers, families and other stakeholders' (*Ms Green*) — and, after debate —

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

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Bill considered in detail (*see pp 727–29*).

Business having been interrupted at 10.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 10.40 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 159 — Thursday 14 November 2013

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

[The Speaker having left the Chair at 9.38 am, resumed it at 11.02 am]

[The Speaker having left the Chair at 11.04 am, resumed it at 11.32 am]

- 2 **ADJOURNMENT** — The Speaker, having announced under SO 129 that the House adjourns until Tuesday 26 November 2013, left the Chair at 11.33 am.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

CONSIDERATION IN DETAIL
Supplement to Votes Nos 157, 158 and 159

No 158 — Wednesday 13 November 2013

CRIMES AMENDMENT (INVESTIGATION POWERS) BILL 2013

Clause 1 agreed to.

Clause 2 agreed to.

Clause 3 agreed to.

Clause 4 agreed to.

Clause 5 agreed to.

Clause 6 agreed to.

Clauses 7 to 10 agreed to.

Clause 11 agreed to.

Clauses 12 and 13 agreed to.

Clause 14 agreed to.

Clause 15 agreed to.

Clause 16 agreed to.

Clauses 17 to 21 agreed to.

Bill agreed to without amendment.

DISABILITY AMENDMENT BILL 2013

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

The House divided (the Deputy Speaker, Mrs Fyffe, in the Chair) —

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Clause 2, Question — That Clause 2 stand part of the Bill — put.

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Clause 3, Question — That Clause 3 stand part of the Bill — put.

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Clause 4, *The Deputy Speaker advised that if amendment No 1 is not agreed to, amendment No 2 cannot be moved as it is consequential.*

Ms Green moved amendment No 1 (*see Schedule*).

Business having been interrupted at 10.00 pm under sessional orders.

SCHEDULE OF AMENDMENT MOVED

DISABILITY AMENDMENT BILL 2013

Amendment moved by Ms Green

1. Clause 4, page 3, lines 3 to 32 and page 4, lines 1 to 6, omit all words and expressions on those lines.

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 160, 161 and 162

No 160 — Tuesday 26 November 2013

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

[The Speaker having left the Chair at 2.48 pm, resumed it at 3.24 pm]

Member named and suspended — The Member for Bendigo East (*Ms Allan*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Bendigo East (*Ms Allan*) be suspended from the service of the House for six sitting days (*Ms Asher*) — put.

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

The Speaker announced that, as the motion reinforces the Speaker's right under Standing Orders to maintain order in the House, he casts his vote with the ayes.

Question agreed to.

Ms Allan accordingly withdrew from the Chamber.

Member named and suspended — The Member for Monbulk (*Mr Merlino*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Monbulk (*Mr Merlino*) be suspended from the service of the House for six sitting days (*Ms Asher*) — put.

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Mr Merlino accordingly withdrew from the Chamber.

- 3 **LOCAL GOVERNMENT AMENDMENT (PERFORMANCE REPORTING AND ACCOUNTABILITY) BILL 2013** — Mrs Powell obtained leave to bring in a Bill '*for an Act to amend the Local Government Act 1989 to improve the performance reporting and accountability of Councils and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Public Aged Care Facilities — Requesting that the Legislative Assembly calls on the Government to stop the privatisation or closure of public sector residential aged care facilities, bearing 133 signatures (*Mr Brooks*)

Lynbrook Railway Station — Requesting that the Legislative Assembly urges the Government to provide a funding commitment for the Lynbrook Railway Station upgrade and the completion of Alymer Road, Lyndhurst bearing 121 signatures (*Mr Pakula*)

Abortion Law Reform Act 2008 — Requesting that the Legislative Assembly urges the Government to amend s 8 of the *Abortion Law Reform Act 2008*, as soon as possible, to remove any requirement that conscientious objectors to abortion must provide a referral, bearing 254 signatures (*Ms Campbell*)

East West Link Tunnel — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West link tunnel, bearing 80 signatures (*Mr Wynne*)

Panton Hill Preschool — Requesting that the Legislative Assembly urges the Minister for Children and Early Childhood Development to reclassify the Panton Hill Preschool from metropolitan to rural, which will allow it to remain financially viable, bearing 2441 signatures (*Ms Green*).

Petitions ordered to be tabled.

- 5 **PETITION — EAST WEST LINK TUNNEL** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.

6 **PETITION — ABORTION LAW REFORM ACT 2008** — Motion made and question — That the petition presented by the Member for Pascoe Vale be taken into consideration tomorrow (*Ms Campbell*) — put and agreed to.

7 **PETITION — PANTON HILL PRESCHOOL** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

8 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 16 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Amendment (Investigation Powers) Bill 2013
 Domestic Animals Amendment Bill 2013
 Electricity Safety Amendment (Bushfire Mitigation) Bill 2013
 Owners Corporations Amendment Bill 2013
 Travel Agents Repeal Bill 2013

together with appendices.

Ordered to be tabled and printed.

DOCUMENTS TABLED BY COMMAND OF THE GOVERNOR

Mr Clark presented by Command of the Governor:

County Court of Victoria — Report 2012–13

Ordered to be tabled.

Supreme Court of Victoria — Report 2012–13

Ordered to be tabled.

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

Auditor-General — Report on the Annual Financial Report of the State of Victoria, 2012–13 — Ordered to be printed

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Albert Park Reserve

Orders under s 17D granting leases over:

Albert Park Reserve

Kew Recreation Reserve

Education and Care Services National Law Act 2010 — Report 2012–13 of the Education and Care Services Ombudsman, National Education and Care Services Freedom of Information and Privacy Commissioners

Financial Management Act 1994 — 2013–14 Quarterly Financial Report for the State of Victoria for the period ended 30 September 2013

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

Independent Broad-based Anti-corruption Commission — Special report concerning certain operations in 2013 — Ordered to be printed

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 131 (*Gazette G45, 7 November 2013*)

Planning and Environment Act 1987:

Amendment C147 to the Brimbank Planning Scheme

Amendment C170 to the Hume Planning Scheme

Notices of approval of amendments to the following Planning Schemes:

Ballarat — C154

Banyule — C92

Casey — C168

Frankston — C93

Gannawarra — C34

Golden Plains — C64

Greater Dandenong — C169, C174, C175

Greater Geelong — C281

Knox — C95

Latrobe — C78

Melton — C150, C153

Port Phillip — C96

Towong — C28

Wyndham — C191

Professional Standards Act 2003 — Professional Surveyors Occupational Association Scheme under s 14 (*Gazette S396, 11 November 2013*)

Statutory Rules under the following Acts:

Public Health and Wellbeing Act 2008 — SR 137

Victims of Crime Assistance Act 1996 — SR 138

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 131, 137, 138

Surveillance Devices Act 1999 — Report 2012–13 under s 30L

Taxi Services Commission — Report 2012–13

Water Act 1989 — Abolition of the Avon Water Supply Protection Area, Denison Groundwater Supply Protection Area and Tarra River Catchment Water Supply Protection Area (Surface Water) Order 2013.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Catchment and Land Protection Amendment Act 2013 — Whole Act — 18 November 2013 (*Gazette S398, 12 November 2013*)

Corrections Amendment (Parole Reform) Act 2013 — Whole Act — 20 November 2013 (*Gazette S409, 19 November 2013*).

9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Transport Accident Amendment Bill 2013 without amendment.

10 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 19 November 2013, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Courts and Other Justice Legislation Amendment Bill 2013
 State Taxation and Financial Legislation Amendment Bill 2013
 Statute Law Revision Bill 2013
 Transport Accident Amendment Bill 2013.

11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 28 November 2013:

Disability Amendment Bill 2013
 Domestic Animals Amendment Bill 2013
 Education and Training Reform Amendment (Dual Sector Universities) Bill 2013
 Justice Legislation Amendment (Miscellaneous) Bill 2013
 Owners Corporations Amendment Bill 2013
 Parks and Crown Land Legislation Amendment Bill 2013
 Transport (Compliance and Miscellaneous) Amendment (On-the-Spot Penalty Fares) Bill 2013
 Victoria Police Bill 2013

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

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

13 **TRANSPORT (COMPLIANCE AND MISCELLANEOUS) AMENDMENT (ON-THE-SPOT PENALTY FARES) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

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

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

14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Road Legislation Amendment Bill 2013 without amendment.

15 **EDUCATION AND TRAINING REFORM AMENDMENT (DUAL SECTOR UNIVERSITIES) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the impacts of the measures and timelines of the Bill have been referred to, and considered by, the Education and Training Committee' (*Mr Herbert*) — and, after debate —

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

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

- 16 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.46 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 161 — Wednesday 27 November 2013

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

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

Abortion Referrals — Requesting that the Legislative Assembly urges the Government to protect the doctors, nurses and allied health professionals in Victoria, who care for mothers and their unborn children because no Victorian health professional should be forced to act against their conscience and refer a patient for an abortion, especially when abortions do not require referral, bearing 138 and 3886 signatures (*Mr Brooks and Ms Campbell respectively*).

Petitions ordered to be tabled.

- 3 **PETITION — ABORTION REFERRALS** — Motion made and question — That the petition presented by the Member for Pascoe Vale be taken into consideration tomorrow (*Ms Campbell*) — put and agreed to.

- 4 **DOCUMENTS**

PRIVILEGES COMMITTEE — Mr Walsh, Chair, presented a report from the Privileges Committee on the Suspension of the Inquiry in relation to recommendation 2 of the Ombudsman's report *Whistleblowers Protection Act 2001: Investigation into allegations against Mr Geoff Shaw MP*.

Ordered to be tabled and printed.

DOCUMENT BY COMMAND OF THE GOVERNOR

Mr Clark presented by Command of the Governor:

Magistrates' Court of Victoria — Report 2012–13

Ordered to be tabled.

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

Audit Act 1994 — Performance Audit of the Auditor-General and the Victorian Auditor-General's Office, November 2013

Auditor-General:

Portfolio Departments and Associated Entities: Results of the 2012–13 Audits — Ordered to be printed

WoVG Information Security Management Framework — Ordered to be printed

Ombudsman — Report on issues in public sector employment — Ordered to be printed

Statutory Rule under the *Public Records Act 1973* — SR 139

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 139.

- 5 **COMPLAINT** — The Speaker informed the House that the Member for Frankston had lodged with him written notification of a complaint concerning an incident that took place on the front steps of Parliament House involving a group of protesters, alleging that they had committed a breach of privilege by verbally and physically harassing the Member for Frankston as he entered Parliament House on Tuesday 15 October 2013, which was a scheduled sitting day — and, the Speaker being of the opinion that the complaint should be given precedence —

Motion made and question — That the complaint made by the Member for Frankston on Wednesday 27 November 2013 be referred to the Privileges Committee for examination and report (*Mr Shaw*) — and, after debate —

Motion made and question — That the question be now put (*Mr Smith, Warrantdyte*) — put.

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrantdyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 40

Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Original question — accordingly put.

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

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 40

Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

7 **GRIEVANCES** — Question — That grievances be noted — and, after debate —

Business having been interrupted at 2.00 pm under standing orders.

8 **QUESTIONS** — (Under SO 55).

9 **GRIEVANCES** — Debate resumed on question — That grievances be noted — put and agreed to.

10 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2013–14 Budget Estimates Part Two

Education and Training Committee's Report on the Inquiry into the Extent, Benefits and Potential of Music Education in Victorian Schools

Family and Community Development Committee's Report on the Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations

Public Accounts and Estimates Committee's Report on the 2013–14 Budget Estimates Part One.

11 **LOCAL GOVERNMENT AMENDMENT (PERFORMANCE REPORTING AND ACCOUNTABILITY) BILL 2013** — *Mrs Powell tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 11 December 2013.

12 **VICTORIA POLICE BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 13 **DOMESTIC ANIMALS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 14 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.51 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 162 — Thursday 28 November 2013

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

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

East West Link Tunnel — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West link tunnel, bearing 116 signatures (*Ms Garrett*)

Boyne Russell House — Requesting that the Legislative Assembly calls on the Government to stop the privatisation or closure of Boyne Russell House, bearing 260 signatures (*Ms Garrett*).

Petitions ordered to be tabled.

- 3 **PETITION — EAST WEST LINK TUNNEL** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.

- 4 **PETITION — BOYNE RUSSELL HOUSE** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.

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

Auditor-General:

Occupational Health and Safety Risk in Public Hospitals — Ordered to be printed

Public Hospitals: Results of the 2012–13 Audits — Ordered to be printed

Racing Industry: Grants Management — Ordered to be printed

Commissioner for Environmental Sustainability Act 2003 — State of the Environment Report 2013 under s 17

Crown Land (Reserves) Act 1978 — Orders under s 17D granting leases over Queens Park Reserve (two orders)

Victorian Industry Participation Policy — Report 2012–13.

- 6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 10 December 2013 (*Ms Asher*) — put and agreed to.

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

- 8 **JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 9 **OWNERS CORPORATIONS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 10 **QUESTIONS** — (Under SO 55).

- 11 **OWNERS CORPORATIONS AMENDMENT BILL 2013** — Debate continued on question — That this Bill be now read a second time.

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

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

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Crimes Amendment (Investigation Powers) Bill 2013 without amendment.

- 13 **DISABILITY AMENDMENT BILL 2013** — Order read for the further consideration of the Bill in detail.

Bill further considered in detail (*see pp 744–5*).

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 26 November 2013 had expired.

Question — That clause 1 stand part of the Bill, clauses 5 and 6 be agreed to, the Bill be agreed to without amendment, and the Bill be read a third time — put.

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 40

Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 15 **DOMESTIC ANIMALS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 16 **VICTORIA POLICE BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 17 **TRANSPORT (COMPLIANCE AND MISCELLANEOUS) AMENDMENT (ON-THE-SPOT PENALTY FARES) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 18 **EDUCATION AND TRAINING REFORM AMENDMENT (DUAL SECTOR UNIVERSITIES) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the impacts of the measures and timelines of the Bill have been referred to, and considered by, the Education and Training Committee'.

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

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 40

Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 40

Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 20 **OWNERS CORPORATIONS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 4.14 pm under sessional orders.

- 21 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.02 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL Supplement to Votes Nos 160, 161 and 162

No 162 — Thursday 28 November 2013

DISABILITY AMENDMENT BILL 2013

Clause 4, *The Deputy Speaker advised the House that, at the conclusion of clause 4, it was her intention to resubmit the question that clause 1 stand part.*

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

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 39

Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to

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

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

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 40

Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 26 November 2013 had expired (for remaining stages see pp 740–1).

SCHEDULE OF AMENDMENT MOVED

DISABILITY AMENDMENT BILL 2013

Amendment moved by Ms Green

1. Clause 4, page 3, lines 3 to 32 and page 4, lines 1 to 6, omit all words and expressions on those lines.

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 163, 164, 165 and 166

No 163 — Tuesday 10 December 2013

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **DEATH OF HIS EXCELLENCY NELSON MANDELA OM AC CC OJ GCStJ QC GCH BR RSO NPK** — Motion made, by leave, and question — That this House expresses its sincere sorrow at the death of His Excellency Nelson Mandela OM AC CC OJ GCStJ QC GCH BR RSO NPK and places on record its acknowledgement of the valuable services rendered by him to the people of South Africa, and for the causes of peace and justice internationally (*Dr Naphine*) — put, after members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 3 **ADJOURNMENT** — Motion made, by leave, and question — That, as a further mark of respect to the memory of the late His Excellency Nelson Mandela OM AC CC OJ GCStJ QC GCH BR RSO NPK, the House now adjourns until 4.00 pm today (*Dr Naphine*) — put and agreed to.

And the House, at 2.53 pm, adjourned until 4.00 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 164 — Tuesday 10 December 2013 (4.00 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTIONS** — (Under SO 55).
- 3 **SMALL BUSINESS COMMISSIONER AMENDMENT BILL 2013** — Ms Asher obtained leave to bring in a Bill '*for an Act to amend the **Small Business Commissioner Act 2003** to amend the functions and powers of the Small Business Commissioner, to improve alternative dispute resolution services, to confer powers on the Commissioner to publish information relating to disputes and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (POPPY CULTIVATION AND PROCESSING) AMENDMENT BILL 2013** — Mr Walsh obtained leave to bring in a Bill '*for an Act to amend the **Drugs, Poisons and Controlled Substances Act 1981** to provide for a licensing scheme for poppy cultivation and processing and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **LEGAL PROFESSION UNIFORM LAW APPLICATION BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to apply the **Legal Profession Uniform Law as a law of Victoria**, to provide for certain local matters to complement that Law, to repeal the **Legal Profession Act 2004**, to*

make transitional arrangements, to make consequential amendments to other Acts and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **FENCES AMENDMENT BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the **Fences Act 1968** to provide a procedure for the sharing of costs between neighbours for dividing fences and a mechanism for the resolution of disputes about dividing fences, to make amendments about other matters in relation to dividing fences, and to amend other Acts and for other purposes'*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **JURY DIRECTIONS AMENDMENT BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the **Jury Directions Act 2013**, the **Evidence Act 2008** and the **Crimes Act 1958** and for other purposes'*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

8 **CORRECTIONS LEGISLATION AMENDMENT BILL 2013** — Mr Wells obtained leave to bring in a Bill '*for an Act to amend the **Corrections Act 1986**, the **Prisoners (Interstate Transfer) Act 1983** and the **Serious Sex Offenders (Detention and Supervision) Act 2009** and for other purposes'*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

9 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (SECURITY MEASURES) BILL 2013** — Ms Wooldridge obtained leave to bring in a Bill '*for an Act to amend the **Children, Youth and Families Act 2005** to provide for security arrangements for secure welfare services, to prohibit certain actions in relation to children placed in an out of home care service, including a secure welfare service, or in the care of an out of home carer, to make amendments in relation to the searches permitted in youth justice facilities and for other purposes'*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

10 **ASSISTED REPRODUCTIVE TREATMENT FURTHER AMENDMENT BILL 2013** — Ms Wooldridge obtained leave to bring in a Bill '*for an Act to amend the **Assisted Reproductive Treatment Act 2008** and the **Human Tissue Act 1982** and for other purposes'*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Public Aged Care Facilities — Requesting that the Legislative Assembly calls on the Government to stop the privatisation or closure of public sector residential aged care facilities, bearing 140 signatures (*Mr Andrews*)

Victoria Police Bands — Requesting that the Legislative Assembly calls on the Government to — (a) reverse the decision to disband the Victoria Police Bands; and (b) resource the Victoria Police Bands appropriately with the recruitment of a drummer and sound technician, bearing 6313 signatures (*Mr Andrews*)

Medical Practitioners' Choice to Refer Patients — Requesting that the Legislative Assembly urges the Government to protect the doctors, nurses and allied health professionals in Victoria, who care for mothers and their unborn children, because no Victorian health professional should be forced to act against their conscience and refer a patient for an abortion, especially when abortions do not require referral, bearing 6 signatures (*Mr Andrews*)

Aged Care Facility Closures — Requesting that the Legislative Assembly calls on the Government to stop the privatisation or closure of McLellan House in Jacana, Cyril Jewell House in Keilor East and Boyne Russell House in Brunswick, bearing 138 signatures (*Ms Campbell*)

Preston Girls Secondary College Site — Requesting that the Legislative Assembly calls on the Government not to sell the Preston Girls Secondary College site, but retain it instead for public education, bearing 785 signatures (*Mr Scott*).

Petitions ordered to be tabled.

12 **PETITION — PUBLIC AGED CARE FACILITIES** — Motion made and question — That the petition presented by the Member for Mulgrave be taken into consideration tomorrow (*Mr Andrews*) — put and agreed to.

13 **PETITION — VICTORIA POLICE BANDS** — Motion made and question — That the petition presented by the Member for Mulgrave be taken into consideration tomorrow (*Mr Andrews*) — put and agreed to.

14 **PETITION — MEDICAL PRACTITIONERS' CHOICE TO REFER PATIENTS** — Motion made and question — That the petition presented by the Member for Mulgrave be taken into consideration tomorrow (*Mr Andrews*) — put and agreed to.

15 **PETITION — AGED CARE FACILITY CLOSURES** — Motion made and question — That the petition presented by the Member for Pascoe Vale be taken into consideration tomorrow (*Ms Campbell*) — put and agreed to.

16 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 17 of 2013 from the Scrutiny of Acts and Regulations Committee on the:

Local Government Amendment (Performance Reporting and Accountability) Bill 2013
 Transport (Compliance and Miscellaneous) Amendment (On-the-Spot Penalty Fares) Bill 2013
 Planning and Environment (Fees) Further Interim Regulations 2013 (SR No 127/2013)
 Subdivision (Fees) Further Interim Regulations 2013 (SR No 128/2013)

together with appendices.

Ordered to be tabled and printed.

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

Australian Children's Education and Care Quality Authority — Report 2012–13

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to:

Order varying the State Environment Protection Policy (Prevention and Management of Contamination of Land) (*Gazette G48, 28 November 2013*)
 Statutory Rule 133 (*Gazette G49, 5 December 2013*)

Parliamentary Committees Act 2003 — Government response to the Law Reform Committee's Report on the Inquiry into Sexting

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

Banyule — C91
 Campaspe — C99

East Gippsland — C100, C111
 Hume — C156
 Indigo — C52, C54
 Macedon Ranges — C88, C94
 Maroondah — C90
 Maribyrnong — C95, C117
 Mitchell — C87
 Moreland — C131
 Mornington Peninsula — C135 Part 2
 Mount Alexander — C63
 Nillumbik — C84
 South Gippsland — C66, C68, C87
 Stonnington — C161, C163, C169
 Strathbogie — C50, C65, C67
 Surf Coast — C74
 Swan Hill — C46, C47
 Wodonga — C87, C102
 Wyndham — C203

Statutory Rules under the following Acts:

Bail Act 1977 — SR 141
Children, Youth and Families Act 2005 — SRs 140, 145
Public Health and Wellbeing Act 2008 — SR 143
Racing Act 1958 — SR 144
Victorian Civil and Administrative Tribunal Act 1998 — SR 142

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 143, 144, 145

Documents under s 16B in relation to:

Family Violence Protection Act 2008:

Specification of postcode areas of residence of respondents for the making of counselling orders in relation to the Ballarat venue of the Family Violence Court Division of the Magistrates' Court of Victoria

Specification of postcode areas of residence of respondents for the making of counselling orders in relation to the Frankston venue of the Magistrates' Court of Victoria

Specification of postcode areas of residence of respondents for the making of counselling orders in relation to the Heidelberg venue of the Family Violence Court Division of the Magistrates' Court of Victoria

Specification of postcode areas of residence of respondents for the making of counselling orders in relation to the Moorabbin venue of the Magistrates' Court of Victoria

Gambling Regulation Act 2003 — Notice under s 3.6.5A

Magistrates' Court Act 1989 — Specification of postcode areas for proper venue in relation to a proceeding in respect of which the Family Violence Court Division has jurisdiction

Racing Act 1958 — Greyhound Racing Victoria — Rule Amendments

Wrongs Act 1958 — Notice under s 28LXA (*Gazette G47, 21 November 2013*).

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Bail Amendment Act 2013 — Whole Act — 20 December 2013 (*Gazette S419, 26 November 2013*)

Children, Youth and Families Amendment Act 2013 — Whole Act — 1 December 2013 (*Gazette S419, 26 November 2013*)

Courts Legislation Amendment (Judicial Officers) Act 2013 — Part 1 and Part 4 — 1 January 2014 (*Gazette S431, 3 December 2013*)

Education and Training Reform Amendment (School Attendance) Act 2013 — Whole Act — 1 January 2014 (*Gazette S419, 26 November 2013*).

17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Emergency Management Bill 2013 without amendment.

18 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 3 December 2013, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Crimes Amendment (Investigation Powers) Bill 2013

Emergency Management Bill 2013

Road Legislation Amendment Bill 2013.

19 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 12 December 2013:

Court Services Victoria Bill 2013

Drugs, Poisons and Controlled Substances Amendment Bill 2013

Electricity Safety Amendment (Bushfire Mitigation) Bill 2013

Energy Legislation Amendment (General) Bill 2013

Gambling Regulation Amendment (Pre-commitment) Bill 2013

Local Government Amendment (Performance Reporting and Accountability) Bill 2013

Mineral Resources (Sustainable Development) Amendment Bill 2013

Public Administration Amendment (Public Sector Improvement) Bill 2013

Sustainable Forests (Timber) and Wildlife Amendment Bill 2013

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

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

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

Education and Training Reform Amendment (Dual Sector Universities) Bill 2013

Owners Corporations Amendment Bill 2013.

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

23 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

24 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the Government develops a single, state-wide integrated, strategic land use policy framework to better manage competing land uses in Victoria, as recommended by the Economic Development and Infrastructure Committee's Report on the Inquiry into greenfields mineral exploration and project development in Victoria, and which specifically includes a hierarchy of land uses to evaluate their relative values' (*Mr Foley*) — and, after debate —

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

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

25 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment (Miscellaneous) Bill 2013 without amendment.

26 **SUSTAINABLE FORESTS (TIMBER) AND WILDLIFE AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

27 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.38 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

No 165 — Wednesday 11 December 2013

1 The Speaker took the Chair and read the Prayer.

2 **GAME MANAGEMENT AUTHORITY BILL 2013** — Mr Walsh obtained leave to bring in a Bill '*for an Act to establish the Game Management Authority, to amend the **Wildlife Act 1975** and the **Conservation, Forests and Lands Act 1987** and other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

3 **CRIMES AMENDMENT (GROOMING) BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the **Crimes Act 1958**, the **Sex Offenders Registration Act 2004**, the **Sentencing Act 1991** and the **Victims' Charter Act 2006** in relation to a new offence of grooming for sexual conduct with a child under the age of 16 years and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

4 **SUMMARY OFFENCES AND SENTENCING AMENDMENT BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the **Summary Offences Act 1966** and the **Sentencing Act 1991** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **PARLIAMENTARY BUDGET OFFICER BILL 2013** — Mr Clark obtained leave to bring in a Bill '*for an Act to provide for the appointment of a Parliamentary Budget Officer to prepare costings of election policies and budget impacts of costed policies, to amend the **Constitution Act 1975**, the*

Ombudsman Act 1973 and the Parliamentary Committees Act 2003 and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Caulfield Park Tree Removal — Requesting that the Legislative Assembly — (a) expresses its disapproval of the action to remove or relocate 37 trees at Caulfield Park which was undertaken without due process; and (b) urges the City of Glen Eira to reverse this decision and explore options that will minimise the impact on the trees while still allowing for the upgrade of sporting facilities, bearing 533 signatures (*Mr Southwick*)

Moonee Valley Racecourse Heritage Sites — Requesting that the Legislative Assembly calls on the Government to impose interim heritage controls on the Moonee Valley racecourse including but not limited to — (a) Edna Walling Garden; (b) Alister Clark Rose Garden; (c) S R Burston Stand (MVRC Grandstand); (d) Manikato Garden; and (e) H J Wagstaff Club Secretary's House, bearing 649 signatures (*Mr Madden*)

Medical Practitioners' Choice to Refer Patients — Requesting that the Legislative Assembly urges the Government to protect the doctors, nurses and allied health professionals in Victoria, who care for mothers and their unborn children, because no Victorian health professional should be forced to act against their conscience and refer a patient for an abortion, especially when abortions do not require referral, bearing 96 signatures (*Mr Blackwood*)

East West Link Tunnel — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West link tunnel, bearing 17 signatures (*Mr Wynne*)

Timboon P-12 Rebuild — Requesting that the Legislative Assembly calls on the Government to allocate Department of Education and Early Childhood Development approved stage one funding of \$7 million in the next state budget to rebuild Timboon P-12 school classrooms, bearing 847 signatures (*Mr Katos*)

North Williamstown Railway Station — Requesting that the Legislative Assembly calls on the Government to fund automated safety barriers at North Williamstown train station, bearing 328 signatures (*Mr Noonan*).

Petitions ordered to be tabled.

7 **PETITION — EAST WEST LINK TUNNEL** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.

8 **PETITION — MOONEE VALLEY RACECOURSE HERITAGE SITES** — Motion made and question — That the petition presented by the Member for Essendon be taken into consideration tomorrow (*Mr Madden*) — put and agreed to.

9 **PETITION — CAULFIELD PARK TREE REMOVAL** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.

10 **PETITION — NORTH WILLIAMSTOWN RAILWAY STATION** — Motion made and question — That the petition presented by the Member for Williamstown be taken into consideration tomorrow (*Mr Noonan*) — put and agreed to.

- 11 **PETITION — TIMBOON P-12 REBUILD** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.
- 12 **PETITION — MEDICAL PRACTITIONERS' CHOICE TO REFER PATIENTS** — Motion made and question — That the petition presented by the Member for Narracan be taken into consideration tomorrow (*Mr Blackwood*) — put and agreed to.
- 13 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Local Government: Results of the 2012–13 Audits — Ordered to be printed
 Managing Victoria's Native Forest Timber Resources — Ordered to be printed

Crimes (Assumed Identities) Act 2004 — Report 2012–13 under s 31

Ombudsman — A review of the governance of public sector boards in Victoria — Ordered to be printed

Statutory Rules under the following Acts:

Country Fire Authority Act 1958 — SR 149

Heavy Vehicle National Law Application Act 2013 — SR 152

Magistrates' Court Act 1989 — SR 155

Open Courts Act 2013 — SR 147

Professional Boxing and Combat Sports Act 1985 — SR 154

Road Safety Act 1986 — SRs 150, 151, 153

Supreme Court Act 1986 — SRs 146, 147, 148

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 146, 147, 148, 150, 151, 152, 153, 154, 155.

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Disability Amendment Bill 2013 without amendment.

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

- 16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT FAILURES** — The House was informed that Mr Andrews had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

"That this House condemns the Napthine Coalition Government for three years of failure, and notes that:

- (1) For the first time ever there were over 50,000 people waiting for their surgery, and our emergency departments remained clogged;
- (2) Our kids are being educated in school buildings that are falling down and our TAFE campuses are closing;
- (3) Our roads are congested and public transport system is a crush while the Government prioritises a single five kilometre tunnel in the inner city;
- (4) Every day our state continues to lose jobs; and

(5) The Premier remains beholden to the whims of the Member for Frankston.'

Mr Andrews addressed the House — Discussion followed.

- 17 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Economic Development and Infrastructure Committee's Report on the Inquiry into Local Economic Development Initiatives in Victoria

Rural and Regional Committee's Report on the Inquiry into the Impact of Food Safety Regulation on Farms and Other Businesses

Public Accounts and Estimates Committee's Report on the 2013–14 Budget Estimates Part Two

Law Reform Committee's Report on the Inquiry into Sexting

Education and Training Committee's Report on the Inquiry into the Extent, Benefits and Potential of Music Education in Victorian Schools.

- 18 **SMALL BUSINESS COMMISSIONER AMENDMENT BILL 2013** — *Ms Asher tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 25 December 2013.

Business having been interrupted at 2.00 pm under standing orders.

- 19 **QUESTIONS** — (Under SO 55).

- 20 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (POPPY CULTIVATION AND PROCESSING) AMENDMENT BILL 2013** — *Mr Walsh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 25 December 2013.

- 21 **CORRECTIONS LEGISLATION AMENDMENT BILL 2013** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 25 December 2013.

- 22 **ASSISTED REPRODUCTIVE TREATMENT FURTHER AMENDMENT BILL 2013** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 25 December 2013.

- 23 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (SECURITY MEASURES) BILL 2013** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Wednesday 25 December 2013.

- 24 **GAMBLING REGULATION AMENDMENT (PRE-COMMITMENT) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 25 **ELECTRICITY SAFETY AMENDMENT (BUSHFIRE MITIGATION) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 26 **COURT SERVICES VICTORIA BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

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

Business having been interrupted at 10.00 pm under sessional orders.

- 27 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.44 pm.

No 166 — Thursday 12 December 2013

1 The Speaker took the Chair and read the Prayer.

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

Boyne Russell House — Requesting that the Legislative Assembly calls on the Government to stop the privatisation or closure of Boyne Russell House, bearing 57 signatures (*Ms Garrett*)

Coal Exports — Requesting that the Legislative Assembly urges the Government to reject coal exports and protect Victoria's future, bearing 2559 signatures (*Ms Neville*)

Medical Practitioners' Choice to Refer Patients — Requesting that the Legislative Assembly urges the Government to protect the doctors, nurses and allied health professionals in Victoria, who care for mothers and their unborn children, because no Victorian health professional should be forced to act against their conscience and refer a patient for an abortion, especially when abortions do not require referral, bearing 16 signatures (*Mr Bull*)

Reg Geary House — Requesting that the Legislative Assembly calls on the Government to stop the closure of Reg Geary House in Melton South, bearing 626 signatures (*Mr Nardella*)

Abortion Law Reform Act 2008 Legal Protection — Requesting that the Legislative Assembly urges the Government to request the *Abortion Law Reform Act 2008* be repealed and for it to be replaced with proper legal protection and support for children before birth and their mothers, bearing 249 signatures (*Mr Gidley*)

SPC Ardmona — Requesting that the Legislative Assembly urges the Government to — (a) approve a substantial adjustment package that will support the manufacturing industry with the view to maintaining employment and restoring the viability of the grower and related sectors; and (b) support any Federal Government action which invokes appropriate and lawful World Trade Organisation measures which help to redress the lack of fair competition in the preserved fruit and tomato marketplace, bearing 1124 signatures (*Mr McCurdy*)

East West Link Tunnel Contracts — Requesting that the Legislative Assembly urges the Government to give Victorians the say they deserve and not sign any contracts for the East West Link Tunnel project before the 2014 State Election, bearing 268 signatures (*Ms Green*)

Police Resources for Whittlesea — Requesting that the Legislative Assembly urges the Government to work with the local community to upgrade police resources serving the north of the City of Whittlesea, bearing 95 signatures (*Ms Green*)

Doreen Student and Pedestrian Road Safety — Requesting that the Legislative Assembly calls on the Government to — (a) fund new bus services, cycle and footpaths; and (b) support Whittlesea and Nillumbuk councils to plan and deliver road improvements and safety upgrades, bearing 116 signatures (*Ms Green*).

Petitions ordered to be tabled.

3 **PETITION — COAL EXPORTS** — Motion made and question — That the petition presented by the Member for Bellarine be taken into consideration tomorrow (*Ms Neville*) — put and agreed to.

4 **PETITION — REG GEARY HOUSE** — Motion made and question — That the petition presented by the Member for Melton be taken into consideration tomorrow (*Mr Nardella*) — put and agreed to.

- 5 **PETITION — EAST WEST LINK TUNNEL CONTRACTS** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 6 **PETITION — POLICE RESOURCES FOR WHITTLESEA** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 7 **PETITION — DOREEN STUDENT AND PEDESTRIAN ROAD SAFETY** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 8 **PETITION — SPC ARDMONA** — Motion made and question — That the petition presented by the Member for Murray Valley be taken into consideration tomorrow (*Mr Pallas*) — put and agreed to.
- 9 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Auditor-General:
- Tourism Strategies — Ordered to be printed
Water Entities: Results of the 2012–13 Audits — Ordered to be printed
- Ombudsman — Investigation into children transferred from the youth justice system to the adult prison system — Ordered to be printed
- Victorian Inspectorate — Report 2012–13.
- 10 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 4 February 2014 (*Ms Asher*) — put and agreed to.
- 11 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 12 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR IMPROVEMENT) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.
- Under standing orders, Dr Napthine announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.
- Debate resumed on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Mr Crisp*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 13 **LOCAL GOVERNMENT AMENDMENT (PERFORMANCE REPORTING AND ACCOUNTABILITY) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mrs Bauer*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.

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

Parks and Crown Land Legislation Amendment Bill 2013
Transport (Compliance and Miscellaneous) Amendment (On-the-Spot Penalty Fares) Bill 2013.

- 15 **ENERGY LEGISLATION AMENDMENT (GENERAL) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 16 **QUESTIONS** — (Under SO 55).

- 17 **ENERGY LEGISLATION AMENDMENT (GENERAL) BILL 2013** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 10 December 2013 had expired.

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

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

Bill sent to the Legislative Council and their agreement requested.

- 18 **GAMBLING REGULATION AMENDMENT (PRE-COMMITMENT) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 19 **COURT SERVICES VICTORIA BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 8 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **ELECTRICITY SAFETY AMENDMENT (BUSHFIRE MITIGATION) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 21 **SUSTAINABLE FORESTS (TIMBER) AND WILDLIFE AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 22 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the Government develops a single, state-wide integrated, strategic land use policy framework to better manage competing land uses in Victoria, as recommended by the Economic Development and Infrastructure Committee's Report on the Inquiry into greenfields mineral exploration and project development in Victoria, and which specifically includes a hierarchy of land uses to evaluate their relative values'.
- Question — That the words proposed to be omitted stand part of the question — put and agreed to.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 23 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 24 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR IMPROVEMENT) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time, the Government amendment be agreed to and the Bill be now read a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 25 **LOCAL GOVERNMENT AMENDMENT (PERFORMANCE REPORTING AND ACCOUNTABILITY) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- Business having been interrupted at 4.04 pm under sessional orders.*
- Motion made and question — That the sitting be continued (*Ms Asher*) — put and agreed to.
- 26 **LEGAL PROFESSION UNIFORM LAW APPLICATION BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).
- Motion made and question — That the debate be now adjourned (*Ms Green*) — put and agreed to.
- Ordered — That the debate be adjourned until Thursday 26 December 2013.
- 27 **CRIMES AMENDMENT (GROOMING) BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

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

Ordered — That the debate be adjourned until Thursday 26 December 2013.

- 28 **GAME MANAGEMENT AUTHORITY BILL 2013** — *Mr Walsh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 26 December 2013.

- 29 **JURY DIRECTIONS AMENDMENT BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 26 December 2013.

- 30 **PARLIAMENTARY BUDGET OFFICER BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 26 December 2013.

- 31 **SUMMARY OFFENCES AND SENTENCING AMENDMENT BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 26 December 2013.

- 32 **FENCES AMENDMENT BILL 2013** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

Ordered — That the debate be adjourned until Thursday 26 December 2013.

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

34 **ADJOURNMENT** — The Speaker left the Chair, after debate, at 5.59 pm.

R W PURDEY
Clerk of the Legislative Assembly

KEN SMITH
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 167, 168 and 169

No 167 — Tuesday 4 February 2014

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

The Speaker advised the House that he intended to resign as Speaker, effective 3.00 pm.

[The Speaker left the Chair at 2.10 pm and the House resumed at 3.12 pm]

- 2 **ELECTION OF SPEAKER** — Ms Asher proposed the Member for Evelyn, Christine Fyffe, as Speaker of the Legislative Assembly and, after debate, moved, that the Member for Evelyn take the Chair of this House as Speaker. The motion was seconded by Mrs Powell.

Mrs Fyffe accepted the nomination.

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

Mrs Fyffe was accompanied to the Chair by Ms Asher and Mrs Powell, where she acknowledged the great honour conferred upon her. The Mace was then placed on the table.

Dr Napthine, Mr Andrews and Mr Ryan congratulated the Speaker.

- 3 **QUESTIONS** — (Under SO 55).

- 4 **WATER AMENDMENT (WATER TRADING) BILL 2014** — Mr Walsh obtained leave to bring in a Bill *'for an Act to amend the **Water Act 1989** to meet certain requirements of the water trading rules set out in Chapter 12 of the Basin Plan made under the Water Act 2007 of the Commonwealth in relation to more flexible trading of available and future water allocations and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 5 **VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL AMENDMENT BILL 2014** — Mr Clark obtained leave to bring in a Bill *'for an Act to amend the **Victorian Civil and Administrative Tribunal Act 1998** to enhance the powers of the Tribunal and enact a new regime for expert witnesses and expert evidence and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 6 **JUSTICE LEGISLATION AMENDMENT (DISCOVERY, DISCLOSURE AND OTHER MATTERS) BILL 2014** — Mr Clark obtained leave to bring in a Bill *'for an Act to amend the **Civil Procedure Act 2010** to provide for further case management powers in relation to discovery and disclosure, to consequentially amend other Acts, to amend the **Corrections Act 1986**, the **Corrections Amendment (Breach of Parole) Act 2013**, the **Crimes Act 1958** and the **Serious Sex Offenders (Detention and Supervision) Act 2009** and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 7 **STATE TAXATION LEGISLATION AMENDMENT BILL 2014** — Mr O'Brien obtained leave to bring in a Bill *'for an Act to amend various Acts in relation to State taxation and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 8 **EDUCATION AND TRAINING REFORM AMENDMENT (REGISTRATION OF EARLY CHILDHOOD TEACHERS AND VICTORIAN INSTITUTE OF TEACHING) BILL 2014** — Mr Dixon obtained leave to bring in a Bill *for an Act to amend the **Education and Training Reform Act 2006**, the **Children, Youth and Families Act 2005**, the **Child Employment Act 2003**, the **Fundraising Act 1998** and the **Working with Children Act 2005** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **HEALTH SERVICES AMENDMENT BILL 2014** — Ms Wooldridge obtained leave to bring in a Bill *for an Act to amend the **Health Services Act 1988** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 10 **ENVIRONMENT PROTECTION AND SUSTAINABILITY VICTORIA AMENDMENT BILL 2014** — Mr Smith (*Warrandyte*) obtained leave to bring in a Bill *for an Act to amend the **Environment Protection Act 1970** and the **Sustainability Victoria Act 2005** to establish a new framework for waste and resource recovery planning in Victoria, to amend the **Alpine Resorts (Management) Act 1997** to make a consequential amendment, and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 11 **SALE OF LAND AMENDMENT BILL 2014** — Ms Victoria obtained leave to bring in a Bill *for an Act to amend the **Sale of Land Act 1962** in relation to statements made under section 32 of that Act, to make related and consequential amendments to the **Owners Corporations Act 2006** and to consequentially amend other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 12 **LEGAL PROFESSION UNIFORM LAW APPLICATION BILL 2013** — Under s 31 of the *Charter of Human Rights and Responsibilities Act 2006*, Mr Clark gave notice of intention to make a statement explaining the exceptional circumstances that justify the inclusion of the override declaration in clause 6 of the Legal Profession Uniform Law Application Bill 2013.
- 13 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Public Aged Care Facilities** — Requesting that the Legislative Assembly calls on the Government to stop the privatisation or closure of public sector residential aged care facilities, bearing 52 and 29 signatures (*Mr Brooks and Mr Andrews respectively*)
- Aged Care Facility Closures** — Requesting that the Legislative Assembly calls on the Government to stop the privatisation or closure of McLellan House in Jacana, Cyril Jewell House in Keilor East and Boyne Russell House in Brunswick, bearing 13 signatures (*Ms Campbell*).
- Petitions ordered to be tabled.
- 14 **PETITION — AGED CARE FACILITY CLOSURES** — Motion made and question — That the petition presented by the Member for Pascoe Vale be taken into consideration tomorrow (*Ms Campbell*) — put and agreed to.
- 15 **PETITION — PUBLIC AGED CARE FACILITIES** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.
- 16 **DOCUMENTS**
- SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** — Ms Campbell, Deputy Chair, presented the Alert Digest No 1 of 2014 from the Scrutiny of Acts and Regulations Committee on the:

Assisted Reproductive Treatment Further Amendment Bill 2013

Children, Youth and Families Amendment (Security Measures) Bill 2013

Corrections Legislation Amendment Bill 2013
Crimes Amendment (Grooming) Bill 2013
Drugs, Poisons and Controlled Substances (Poppy Cultivation and Processing) Amendment Bill 2013
Fences Amendment Bill 2013
Game Management Authority Bill 2013
Jury Directions Amendment Bill 2013
Legal Profession Uniform Law Application Bill 2013
Parliamentary Budget Officer Bill 2013
Small Business Commissioner Amendment Bill 2013
Summary Offences and Sentencing Amendment Bill 2013

together with an extract from the proceedings and appendices.

Ordered to be tabled and printed.

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

Australian Crime Commission — Report 2012–13

Border Groundwaters Agreement Review Committee — Report 2012–13

Crimes (Assumed Identities) Act 2004 — Reports 2012–13 under s 31 (two documents)

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Camperdown Public Park Reserve

Falls Creek Alpine Resort Management Board — Report year ended 31 October 2013

Financial Management Act 1994 — Budget Update 2013–14

Health Practitioner National Law (Victoria) Act 2009 — Report 2012–13 of the National Health Practitioner Ombudsman and Privacy Commissioner

Lake Mountain Alpine Resort Management Board — Report year ended 31 October 2013

Mount Baw Baw Alpine Resort Management Board — Report year ended 31 October 2013

Mount Buller and Mount Stirling Alpine Resort Management Board — Report year ended 31 October 2013

Mount Hotham Alpine Resort Management Board — Report year ended 31 October 2013

Murray-Darling Basin Authority — Report 2012–13

Parliamentary Committees Act 2003 — Government response to the Environment and Natural Resources Committee's Report on the Inquiry into rural drainage in Victoria

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

Banyule — C86, C96

Baw Baw — C93

Boroondara — C191

Campaspe — C102

Cardinia — C133, C195

Frankston — C74, C78
 Glen Eira — C80, C111, C114
 Glenelg — C76 Part 1
 Greater Bendigo — C191, C205
 Greater Dandenong — C124, C181
 Greater Geelong — C233
 Greater Shepparton — GC4
 Hume — C154 Part 1
 Indigo — GC4
 Kingston — C126, C129
 Latrobe — C79
 Loddon — C30
 Maribyrnong — C127
 Mildura — C87
 Mitchell — C94
 Moonee Valley — C130
 Mount Alexander — C69, GC4
 Murrindindi — C36, C42
 Nillumbik — C60, C89
 Port Phillip — C130
 South Gippsland — C83 Part 1
 Swan Hill — C56
 Victoria Planning Provisions — VC99, VC105
 Wellington — C33, C70
 Whittlesea — C115
 Wyndham — C193
 Yarra — C203

Statutory Rules under the following Acts:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — SR 156/2013
Building Act 1993 — SR 161/2013
County Court Act 1958 — SRs 166, 167/2013
Drugs, Poisons and Controlled Substances Act 1981 — SR 164/2013
Education and Training Reform Act 2006 — SRs 157, 172/2013
Environment Protection Act 1970 — SR 159/2013
Fisheries Act 1995 — SR 168/2013
Gas Safety Act 1997 — SR 158/2013
Infringements Act 2006 — SR 169/2013
Magistrates' Court Act 1989 — SRs 177, 178/2013
Police Regulation Act 1958 — SR 162/2013
Retirement Villages Act 1986 — SRs 170, 171/2013
Road Safety Act 1986 — SRs 174, 175, 176/2013
Subordinate Legislation Act 1994 — SRs 160, 173/2013
Transport (Compliance and Miscellaneous) Act 1983 — SR 1
Victorian Civil and Administrative Tribunal Act 1998 — SR 165/2013
Water Act 1989 — SR 163/2013

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 141, 142, 149, 156, 157, 158, 159, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178/2013

Documents under s 16B in relation to:

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

Education and Training Reform Act 2006:

Ministerial Order No 625

Victorian Curriculum and Assessment Authority Fees Order

Fisheries Act 1995 — Quota Order under s 64 — Scallop Dive (Port Phillip Bay) Fishery

Transport (Compliance and Miscellaneous) Act 1983 — Determination of Fees — Issue of Country and Metropolitan Hire Car Licences

Victorian Environmental Assessment Council Act 2001 — Government response to the Victorian Environmental Assessment Council's Report on the Investigation into Additional Prospecting Areas in Parks.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Courts and Other Justice Legislation Amendment Act 2013 — Remaining provisions (except Division 1 of Part 3) — 1 February 2014; Division 1 of Part 3 — 1 July 2014 (*Gazette S17, 28 January 2014*)

Justice Legislation Amendment (Miscellaneous) Act 2013 — Part 7 — 29 January 2014; Remaining provisions of Part 6 — 3 March 2014 (*Gazette S17, 28 January 2014*)

National Parks Amendment (Leasing Powers and Other Matters) Act 2013 — Part 2 — 19 December 2013 (*Gazette S449, 17 December 2013*)

Road Legislation Amendment Act 2013 — Section 14 — 17 December 2013 (*Gazette S449, 17 December 2013*)

Sentencing Amendment (Abolition of Suspended Sentences and Other Matters) Act 2013 — Sections 28 and 29 — 20 December 2013; Part 6 — 17 February 2014 (*Gazette S449, 17 December 2013*)

Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013 — Sections 23, 24(1), 26, 27, 28(2), 30, 31(1), 31(3) and 31(4) — 1 February 2014 (*Gazette S17, 28 January 2014*).

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

3 February 2014

The Hon Ken Smith MP
Speaker
Legislative Assembly
Parliament House
Melbourne VIC 3002

Dear Speaker

I write to advise the Mr Philip Davis MLC called on me today and handed me his letter of resignation as Member of the Legislative Council for Eastern Victoria, effective from today. It seems that section 27A of the *Constitution Act 1975* requires a joint sitting of the Council and Assembly to fill this vacancy.

I have advised the President and Premier in like terms.

I enclose a copy of Mr Davis's letter for your records.

Yours sincerely

Alex Chernov
Governor.

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — The Speaker announced the receipt of a message from the Legislative Council proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Philip Davis and that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday 5 February 2014 at 6.15 pm.

Ordered — That the message be taken into consideration immediately.

Motion made and question — That this House agrees to the Legislative Council's proposal for a joint sitting on Wednesday 5 February 2014 at 6.15 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Philip Davis (*Ms Asher*) — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 19 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Victoria Police Bill 2013 without amendment.
- 20 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 17 December 2013, given the royal assent to the following bills, presented to him by the Deputy Clerk of the Legislative Assembly for and in the absence of the Clerk of the Parliaments:

Disability Amendment Bill 2013
 Education and Training Reform Amendment (Dual Sector Universities) Bill 2013
 Justice Legislation Amendment (Miscellaneous) Bill 2013
 Owners Corporations Amendment Bill 2013
 Parks and Crown Land Legislation Amendment Bill 2013
 Transport (Compliance and Miscellaneous) Amendment (On-the-Spot Penalty Fares) Bill 2013
 Victoria Police Bill 2013.

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

Assisted Reproductive Treatment Further Amendment Bill 2013
 Drugs, Poisons and Controlled Substances (Poppy Cultivation and Processing) Amendment Bill 2013
 Parliamentary Budget Officer Bill 2013
 Small Business Commissioner Amendment Bill 2013
 Summary Offences and Sentencing Amendment Bill 2013.

- 22 **ENVIRONMENT AND NATURAL RESOURCES COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 28 August 2012 be amended to extend the reporting date for the Environment and Natural Resources Committee's inquiry into matters relating to heritage tourism and eco-tourism in Victoria to no later than 29 August 2014 (*Ms Asher*) — put and agreed to.

- 23 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the following items be considered and completed by 4.00 pm on Thursday 6 February 2014:

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

Crimes Amendment (Grooming) Bill 2013
 Legal Profession Uniform Law Application Bill 2013
 Parliamentary Budget Officer Bill 2013
 Summary Offences and Sentencing Amendment Bill 2013

Travel Agents Repeal Bill 2013

- (2) the Notice of Motion, Government Business, relating to the Brimbank and Hume Planning Schemes Amendments —

(*Ms Asher*) — after debate, put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 44

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Mr Shaw; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question defeated.

- 24 **ELECTION OF DEPUTY SPEAKER** — Mr Ryan proposed the Member for Rodney, Paul Weller, as Deputy Speaker and moved, that the Member for Rodney be appointed Deputy Speaker of this House. The motion was seconded by Mr Walsh.

Mr Weller accepted the nomination.

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

- 25 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 26 **TRAVEL AGENTS REPEAL BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 27 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.44 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 168 — Wednesday 5 February 2014

1 The Speaker took the Chair and read the Prayer.

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

Caroline Springs Police Station — Requesting that the Legislative Assembly urges the Government to guarantee that it will make the community safe again by providing more police officers to be based at Caroline Springs Police Station and for the station to be opened 24 hours a day seven days a week, bearing 6 signatures (*Ms Hutchins*)

Cuts to TAFE Funding — Requesting that the Legislative Assembly urges the Government to abandon the planned TAFE funding cuts and ensure that no further cuts will be made, bearing 5 signatures (*Ms Hutchins*)

Victorian Food Standards — Requesting that the Legislative Assembly urges the Government to establish an inquiry to investigate appropriate legislation to protect the health and wellbeing of consumers in Victoria by ensuring that food sold in Victoria meets the standards required of local growers and manufacturers, bearing 399 signatures (*Ms Halfpenny*)

North Williamstown Train Station — Requesting that the Legislative Assembly urges the Government to fund automated safety barriers at North Williamstown train station, bearing 74 signatures (*Mr Noonan*).

Petitions ordered to be tabled.

3 **PETITION — CAROLINE SPRINGS POLICE STATION** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

4 **PETITION — CUTS TO TAFE FUNDING** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

5 **PETITION — VICTORIAN FOOD STANDARDS** — Motion made and question — That the petition presented by the Member for Thomastown be taken into consideration tomorrow (*Ms Halfpenny*) — put and agreed to.

6 **PETITION — NORTH WILLIAMSTOWN TRAIN STATION** — Motion made and question — That the petition presented by the Member for Williamstown be taken into consideration tomorrow (*Mr Noonan*) — put and agreed to.

7 **DOCUMENTS**

RURAL AND REGIONAL COMMITTEE — Mr Weller, Chair, presented a report from the Rural and Regional Committee on the Inquiry into the Opportunities for People to use Telecommuting and E-Business to Work Remotely in Rural and Regional Victoria, together with appendices, a summary booklet and transcripts of evidence.

Ordered to be tabled and the report, appendices and summary booklet printed.

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

Auditor-General:

Managing Emergency Services Volunteers — Ordered to be printed

Oversight and Accountability of Committees of Management — Ordered to be printed

Ombudsman — Investigation into a complaint about the conduct of Authorised Officers on V/Line — Ordered to be printed

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

Brimbank — C38

Casey — C184

Greater Bendigo — C159 Part 1

Greater Geelong — C247, C294

Indigo — C32

Loddon — C28

South Gippsland — C73

Whittlesea — C151

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 1

Victorian Electoral Commission — Report on the Lyndhurst District by-election held on 27 April 2013.

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

Court Services Victoria Bill 2013

Energy Legislation Amendment (General) Bill 2013

Local Government Amendment (Performance Reporting and Accountability) Bill 2013.

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

(1) Mrs Fyffe be discharged from attendance on the House Committee and that Mr Blackwood be appointed in her place; and

(2) Mrs Fyffe be discharged from attendance on the Standing Orders Committee and that Mr O'Brien be appointed in her place —

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

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

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

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

VICTORIA
LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Neil Angus, Liz Beattie, Gary Blackwood, Neale Burgess, Christine Campbell, Telmo Languiller, Tim McCurdy, Frank McGuire, Andrew McIntosh, Lucinda McLeish, David Morris, Don Nardella, Russell Northe, John Pandazopoulos, Dee Ryall, Bill Sykes and Murray Thompson to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant replaces the previous warrant of 3 September 2013.

Given under my hand on 5 February 2014

Hon Christine Fyffe
SPEAKER.

- 13 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Rural and Regional Committee's Report on the Inquiry into the Opportunities for People to use Telecommuting and E-Business to Work Remotely in Rural and Regional Victoria

Family and Community Development Committee's Report on the Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations

Public Accounts and Estimates Committee's Report on the 2013–14 Budget Estimates Part Two

Law Reform Committee's Report on the Inquiry into Sexting.

- 14 **BRIMBANK AND HUME PLANNING SCHEMES AMENDMENTS** — Motion made and question — That under s 46AH of the *Planning and Environment Act 1987*:

(1) Brimbank Planning Scheme Amendment C147 be ratified; and

(2) Hume Planning Scheme Amendment C170 be ratified —

(*Mr Clark*) — and, after debate —

Business having been interrupted at 2.00 pm under standing orders.

- 15 **QUESTIONS** — (Under SO 55).

- 16 **BRIMBANK AND HUME PLANNING SCHEMES AMENDMENTS** — Debate continued on question — That under s 46AH of the *Planning and Environment Act 1987*:

(1) Brimbank Planning Scheme Amendment C147 be ratified; and

(2) Hume Planning Scheme Amendment C170 be ratified

— put and agreed to.

- 17 **CRIMES AMENDMENT (GROOMING) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

Bill sent to the Legislative Council and their agreement requested.

- 18 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met today with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of Philip Davis, and that Andrew Mark Ronalds has been duly chosen to hold the vacant place.

- 19 **LEGAL PROFESSION UNIFORM LAW APPLICATION BILL 2013** — Under s 31 of the *Charter of Human Rights and Responsibilities Act 2006*, Mr Clark made a statement explaining the exceptional circumstances that justify the inclusion of the override declaration in clause 6 of the Legal Profession Uniform Law Application Bill 2013.

- 20 **PARLIAMENTARY BUDGET OFFICER BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to provide for the establishment of the Parliamentary Budget Officer as a permanent standing office that can provide a genuine resource of advice on policy costings to members of Parliament and that is funded and staffed from existing Department of Treasury and Finance resources' (*Mr Pallas*) — and, after debate —

Business having been interrupted at 10.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.49 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 169 — Thursday 6 February 2014

- 1 The Speaker took the Chair and read the Prayer.
- 2 **BLACK SATURDAY BUSHFIRES ANNIVERSARY** — Motion made, by leave, and question — That this House:
- (1) Notes with sorrow that it is five years since the Black Saturday bushfires, in which lives, homes, and property were lost;
 - (2) Remembers with deep heartache and sadness, the tragic loss of 173 Victorians and the devastating and everlasting impact that has had on affected families;
 - (3) Praises those Victorians who have stood shoulder to shoulder to rebuild their communities, and have shown such great resilience and strength after suffering the worst losses imaginable;

- (4) Recalls the heroic efforts of volunteers, community members and emergency service personnel who supported those in need during, and after, the fires; and
- (5) Notes that fires have again affected Victorian communities in recent weeks, and pledges to support our friends and neighbours as they recover and rebuild —

(Dr Naphine) — put, after members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.

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

Sandhurst Centre, Bendigo — Requesting that the Legislative Assembly urges the Government to reconsider the decision to close the Sandhurst Centre in Bendigo, bearing 114 signatures *(Ms Edwards)*

Disability Support Pension — Requesting that the Legislative Assembly urges the Government to reverse the decision to increase residential fees to 75 per cent of the Disability Support Pension, bearing 14 signatures *(Ms Edwards)*

East West Link Tunnel — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West link tunnel, bearing 23 signatures *(Ms Garrett)*

Boyne Russell House — Requesting that the Legislative Assembly calls on the Government to stop the privatisation or closure of Boyne Russell House, bearing 30 signatures *(Ms Garrett)*

Darebin Creek Trail — Requesting that the Legislative Assembly urges the Government and the Minister for Planning to relocate the route of the Darebin Creek Trail so that it does not pass through Willsmere Park and follows one of the alternative routes to prevent the desecration of Willsmere Park for generations to come, bearing 26 signatures *(Mr McIntosh)*

Willsmere Park — Requesting that the Legislative Assembly urges the Government and the Minister for Planning to listen to the voice of democracy and consider an alternative location for the proposed high speed bitumen cycle route which will not desecrate Willsmere Park, bearing 157 signatures *(Mr McIntosh)*.

Petitions ordered to be tabled.

- 4 **PETITION — SANDHURST CENTRE, BENDIGO** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow *(Ms Edwards)* — put and agreed to.
- 5 **PETITION — DISABILITY SUPPORT PENSION** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow *(Ms Edwards)* — put and agreed to.
- 6 **PETITION — DAREBIN CREEK TRAIL** — Motion made and question — That the petition presented by the Member for Kew be taken into consideration tomorrow *(Mr Tilley)* — put and agreed to.
- 7 **PETITION — WILLSMERE PARK** — Motion made and question — That the petition presented by the Member for Kew be taken into consideration tomorrow *(Mr Tilley)* — put and agreed to.

- 8 **ECONOMIC DEVELOPMENT, INFRASTRUCTURE AND OUTER SUBURBAN/INTERFACE SERVICES COMMITTEE** — The Speaker announced that she had resigned from the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee, effective from today.
- 9 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow the second reading speeches in relation to the bills listed on the notice paper today to be incorporated into Hansard (*Ms Asher*) — put and agreed to.
- 10 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 18 February 2014 (*Ms Asher*) — put and agreed to.
- 11 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 12 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 1 to 9 inclusive, be postponed until later this day.
- 13 **PARLIAMENTARY BUDGET OFFICER BILL 2013** — Order read for resuming debate on question — That this bill now be read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to provide for the establishment of the Parliamentary Budget Officer as a permanent standing office that can provide a genuine resource of advice on policy costings to members of Parliament and that is funded and staffed from existing Department of Treasury and Finance resources'; debate resumed.

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

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wreford.

NOES 43

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Ms Richardson; Mr Scott; Mr Shaw; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question defeated.

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

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Ms Richardson; Mr Scott; Mr Shaw; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wreford.

Question agreed to.

The Speaker advised that, in accordance with SO 63(2), the bill lapsed.

- 14 **TRAVEL AGENTS REPEAL BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 15 **QUESTIONS** — (Under SO 55).

- 16 **TRAVEL AGENTS REPEAL BILL 2013** — Debate continued on question — That this Bill be now read a second time.

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

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

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

Gambling Regulation Amendment (Pre-commitment) Bill 2013
Public Administration Amendment (Public Sector Improvement) Bill 2013.

Business having been interrupted at 4.00 pm under sessional orders.

Motion made and question — That the sitting be continued (*Ms Asher*) — put and agreed to.

- 18 **WATER AMENDMENT (WATER TRADING) BILL 2014** — *Mr Walsh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Thursday 20 February 2014.

- 19 **VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL AMENDMENT BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Thursday 20 February 2014.

- 20 **JUSTICE LEGISLATION AMENDMENT (DISCOVERY, DISCLOSURE AND OTHER MATTERS) BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Thursday 20 February 2014.

- 21 **STATE TAXATION LEGISLATION AMENDMENT BILL 2014** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Thursday 20 February 2014.

- 22 **EDUCATION AND TRAINING REFORM AMENDMENT (REGISTRATION OF EARLY CHILDHOOD TEACHERS AND VICTORIAN INSTITUTE OF TEACHING) BILL 2014** — *Mr Dixon tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Thursday 20 February 2014.

- 23 **HEALTH SERVICES AMENDMENT BILL 2014** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Thursday 20 February 2014.

- 24 **ENVIRONMENT PROTECTION AND SUSTAINABILITY VICTORIA AMENDMENT BILL 2014** — *Mr Smith (Warrandyte) tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Thursday 20 February 2014.

- 25 **SALE OF LAND AMENDMENT BILL 2014** — *Ms Victoria tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Thursday 20 February 2014.

- 26 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Asher*) — put and agreed to.

- 27 **ADJOURNMENT** — The Speaker left the Chair, after debate, at 4.55 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 170, 171 and 172

No 170 — Tuesday 18 February 2014

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS** — The Speaker announced that she had received a Commission from the Governor, which she read as follows:

BY HIS EXCELLENCY ALEX CHERNOV, AC, QC
GOVERNOR OF VICTORIA

TO THE HONOURABLE CHRISTINE FYFFE
SPEAKER OF THE LEGISLATIVE ASSEMBLY OF VICTORIA.

GREETING:

Acting under section 23(1) of the *Constitution Act 1975*, I authorise you, from time to time, in all places that I fix for the despatch of business of the Legislative Assembly, to administer the prescribed Oath or Affirmation of Allegiance to any Member of the Legislative Assembly who has not already taken and subscribed the same since his or her election to the Legislative Assembly.

Given under my hand and the Seal of Victoria on this 7th day of February 2014

(LS)

ALEX CHERNOV
Governor

By His Excellency's Command
DENIS NAPTHINE
Premier

- 3 **QUESTIONS** — (Under SO 55).
- 4 **VEXATIOUS PROCEEDINGS BILL 2014** — Mr Clark obtained leave to bring in a Bill '*for an Act to reform and consolidate the law relating to vexatious proceedings in courts and tribunals, to make consequential amendments to various Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **HONORARY JUSTICES BILL 2014** — Mr Clark obtained leave to bring in a Bill '*for an Act to provide for the appointment of justices of the peace and bail justices, together to be known as honorary justices, the use of titles by current and retired honorary justices and other matters relating to honorary justices and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **TRANSPORT (SAFETY SCHEMES COMPLIANCE AND ENFORCEMENT) BILL 2014** — Mr Mulder obtained leave to bring in a Bill '*for an Act to provide a scheme for the enforcement of transport system safety legislation by re-enacting, with modifications, provisions of the scheme under the **Transport (Compliance and Miscellaneous) Act 1983** for the enforcement of transport system safety legislation and adopting and adapting provisions from the Rail Safety National Law and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **MENTAL HEALTH BILL 2014** — Ms Wooldridge obtained leave to bring in a Bill 'for an Act to provide a legislative scheme for the treatment of persons with mental illness, to repeal the *Mental Health Act 1986*, to make consequential amendments to the *Sentencing Act 1991*, the *Crimes (Mental Impairment and Unfitness to be Tried) Act 1997* and other Acts and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Cuts to TAFE funding — Requesting that the Legislative Assembly urges the Government to abandon the planned TAFE funding cuts and ensure that no further cuts will be made, bearing 19 signatures (*Ms Green*)

Funding for Doreen and Mernda — Requesting that the Legislative Assembly urges the Government to fund — (a) phase two of Doreen Secondary College in the 2014 budget; (b) the building of Mernda P-12; and (c) new bus services, cycle and footpaths in Doreen and Mernda, bearing 57 signatures (*Ms Green*)

Upgrading O'Herns Road and Hume Freeway — Requesting that the Legislative Assembly urges the Government to fund and commence work on — (a) upgrading Epping Road; and (b) building on-ramps from O'Herns Road to the Hume Freeway as a matter of urgency, bearing 40 signatures (*Ms Green*)

Pedestrian Safety in Doreen — Requesting that the Legislative Assembly urges the Government to fund new bus services and footpaths to enable students to walk or cycle in Doreen, bearing 90 signatures (*Ms Green*)

Whittlesea and Nillumbik Road and Footpath Upgrades — Requesting that the Legislative Assembly urges the Government to — (a) fund new bus services, cycle and footpaths; and (b) support Whittlesea and Nillumbik councils to plan and deliver road improvements and safety upgrades, bearing 47 signatures (*Ms Green*)

Northern Health and Austin Health Merger — Requesting that the Legislative Assembly urges the Government to — (a) be transparent about its plans and conduct widespread community consultation about any possible merger between Northern Health and Austin Health; and (b) guarantee that health services in Melbourne's north will not be reduced, and that users will not be disadvantaged by any changes to existing health services, bearing 20 signatures (*Ms Green*).

Petitions ordered to be tabled.

9 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 2 of 2014 from the Scrutiny of Acts and Regulations Committee on the:

Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014

Environment Protection and Sustainability Victoria Amendment Bill 2014

Health Services Amendment Bill 2014

Justice Legislation Amendment (Discovery, Disclosure and Other Matters) Bill 2014

Legal Profession Uniform Law Application Bill 2013

Sale of Land Amendment Bill 2014

State Taxation Legislation Amendment Bill 2014

Victorian Civil and Administrative Tribunal Amendment Bill 2014

Water Amendment (Water Trading) Bill 2014

Planning and Environment (Fees) Further Interim Regulations 2013

Subdivision (Fees) Interim Regulations 2013

together with appendices.

Ordered to be tabled and printed.

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

Financial Management Act 1994 — Report from the Minister for Agriculture and Food Security that he had received the Report 2012–13 of the Murray Valley Citrus Board together with an explanation for the delay

Melbourne City Link Act 1995 — Boroondara shared path sub-lease

Planning and Environment Act 1987:

Amendment C183 to the Cardinia Planning Scheme
Notices of approval of amendments to the following Planning Schemes:

Cardinia — C174
Casey — C179
Darebin — C131
Greater Dandenong — C168
Greater Shepparton — C167
Hume — C175
Kingston — C139
Knox — C118
Loddon — C33
Manningham — C96
Maribyrnong — C115
Moreland — C34
Mornington Peninsula — C182
Mount Alexander — C54
Murrindindi — C44
Nillumbik — C86
Port Phillip — C64, C94
South Gippsland — C85
Stonnington — C190
Surf Coast — C84, C92
Warrnambool — C75
Whittlesea — C141

Statutory Rule under the *Meat Industry Act 1993* — SR 2

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 160/2013, 2

Documents under s 16B in relation to:

Education and Training Reform Act 2006 — Ministerial Orders 723, 724

Racing Act 1958 — Harness Racing Victoria — Notice of amendments to Australian Rules of Harness Racing.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Heavy Vehicle National Law Application Act 2013 — Whole Act (except s 53 and Part 2 of the Schedule) — 10 February 2014 (*Gazette S28, 4 February 2014*)

Road Legislation Amendment Act 2013 — Part 4 and s 34 — 10 February 2014 (*Gazette S28, 4 February 2014*).

10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Electricity Safety Amendment (Bushfire Mitigation) Bill 2013 without amendment.

11 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 11 February 2014, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Court Services Victoria Bill 2013
 Electricity Safety Amendment (Bushfire Mitigation) Bill 2013
 Energy Legislation Amendment (General) Bill 2013
 Gambling Regulation Amendment (Pre-commitment) Bill 2013
 Local Government Amendment (Performance Reporting and Accountability) Bill 2013
 Public Administration Amendment (Public Sector Improvement) Bill 2013.

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

Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014
 Environment Protection and Sustainability Victoria Amendment Bill 2014
 State Taxation Legislation Amendment Bill 2014
 Victorian Civil and Administrative Tribunal Amendment Bill 2014.

13 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow ministers' second reading speeches, in relation to the bills listed on the notice paper for Wednesday 19 or Thursday 20 February 2014, to be incorporated into Hansard (*Ms Asher*) — put and agreed to.

14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 20 February 2014:

Corrections Legislation Amendment Bill 2013
 Drugs, Poisons and Controlled Substances (Poppy Cultivation and Processing) Amendment Bill 2013
 Legal Profession Uniform Law Application Bill 2013
 Small Business Commissioner Amendment Bill 2013
 Summary Offences and Sentencing Amendment Bill 2013
 Travel Agents Repeal Bill 2013

(*Ms Asher*) — after debate, put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodggett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 43

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

16 **SMALL BUSINESS COMMISSIONER AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Mineral Resources (Sustainable Development) Amendment Bill 2013 without amendment.

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

19 **CORRECTIONS LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.57 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 171 — Wednesday 19 February 2014

1 The Speaker took the Chair and read the Prayer.

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

18th Tee Area Morack Public Golf Course — Requesting that the Legislative Assembly urges the Government to seek a guarantee from VicRoads that the 18th tee area (currently leased to VicRoads) is given to the City of Whitehorse for ongoing use and enjoyment by Morack Public Golf course patrons, bearing 260 signatures (*Mr Angus*)

Multi-disciplinary Assessments at Sunshine Hospital — Requesting that the Legislative Assembly urges the Government to restore multi-disciplinary assessments at Sunshine Hospital for children beginning school in 2014, bearing 210 signatures (*Ms Hutchins*).

Petitions ordered to be tabled.

3 **PETITION — MULTI-DISCIPLINARY ASSESSMENTS AT SUNSHINE HOSPITAL** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

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

Auditor-General — Asset Management and Maintenance by Councils — Ordered to be printed

Heavy Vehicle National Law Application Act 2013:

Heavy Vehicle (Fatigue Management) National Regulation

Heavy Vehicle (General) National Regulation

Heavy Vehicle (Mass, Dimension and Loading) National Amendment Regulation

Heavy Vehicle (Mass, Dimension and Loading) National Regulation

Heavy Vehicle (Transitional) National Regulation

Heavy Vehicle (Vehicle Standards) National Regulation

Independent Broad-based Anti-corruption Commission — Special report concerning allegations about the conduct of Sir Ken Jones QPM in relation to his dealings with certain confidential Victoria Police information — Ordered to be printed

Legal Profession Act 2004 — Practitioner Remuneration Order under s 3.4.24

Melbourne City Link Act 1995 — Thirty-Second Amending Deed.

5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Sustainable Forests (Timber) and Wildlife Amendment Bill 2013 without amendment.

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

7 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — NEW ECONOMY TRANSITION** — The House was informed that Mr Ryan had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House congratulates the Liberal Nationals Coalition Government for the action it is taking to facilitate communities and industry sectors transitioning to the "new economy" thereby securing and growing jobs for Victorians, a policy exemplified in the recent announcement of the Government's co-investment with SPC.'

Mr Ryan addressed the House — Discussion followed.

8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Rural and Regional Committee's Report on the Inquiry into the Opportunities for People to use Telecommuting and E-Business to Work Remotely in Rural and Regional Victoria

Drugs and Crime Prevention Committee's Report on the Inquiry into the Application of Safer Design Principles and Crime Prevention through Environmental Design

Public Accounts and Estimates Committee's Report on the Inquiry into Effective Decision Making for the Successful Delivery of Significant Infrastructure Projects

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry on Growing the Suburbs: Infrastructure and Business Development in Outer Suburban Melbourne.

- 9 **VEXATIOUS PROCEEDINGS BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Wednesday 5 March 2014.

- 10 **HONORARY JUSTICES BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Wednesday 5 March 2014.

- 11 **LEGAL PROFESSION UNIFORM LAW APPLICATION BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 12 **QUESTIONS** — (Under SO 55).

- 13 **LEGAL PROFESSION UNIFORM LAW APPLICATION BILL 2013** — Debate continued on question — That this Bill be now read a second time.

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

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

- 14 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (POPPY CULTIVATION AND PROCESSING) AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 15 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.45 pm.

No 172 — Thursday 20 February 2014

1 The Speaker took the Chair and read the Prayer.

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

Regional Rail Link Works and Traffic Consequences — Requesting that the Legislative Assembly urges the Government to — (a) require that the Regional Rail Link Authority attend an immediate community meeting with the Brimbank Council with a view to implementing appropriate noise protection, including vibration freight noise, along the Sunshine and Deer Park section of the Regional Rail Link as a condition of Government funding of the project; (b) fund the grade separation of Fitzgerald and Forrest, Mt Derrimut and Tilburn Roads crossings to deal with the increasing traffic; and (c) fund the cutting of the regional rail line between Adelaide Street, Albion and Deer Park Stations, bearing 428 signatures (*Mr Languiller*)

Melton Highway Level Crossing — Requesting that the Legislative Assembly urges the Government to fix the Melton Highway level crossing, bearing 1139 signatures (*Ms Hutchins*)

Reg Geary House — Requesting that the Legislative Assembly urges the Government to stop the closure of Reg Geary House in Melton South, bearing 146 signatures (*Mr Nardella*).

Petitions ordered to be tabled.

3 **PETITION — REG GEARY HOUSE** — Motion made and question — That the petition presented by the Member for Melton be taken into consideration tomorrow (*Mr Nardella*) — put and agreed to.

4 **PETITION — MELTON HIGHWAY LEVEL CROSSING** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

5 **DOCUMENTS**

PRIVILEGES COMMITTEE — Mr Walsh, Chair, presented a report from the Privileges Committee on the Suspension of the Inquiry into the Complaint by the Member for Frankston.

Ordered to be tabled and printed.

PRIVILEGES COMMITTEE — Mr Walsh, Chair, presented a special report from the Privileges Committee on the Investigation into the Improper Disclosure of a Committee Document, together with appendices.

Ordered to be tabled and printed.

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

Ombudsman — Ombudsman's recommendations — Third report on their implementation — Ordered to be printed

Subordinate Legislation Act 1994 — Documents under s 16B in relation to *Education and Training Reform Act 2006* — Ministerial Orders 705, 713, 714, 715.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Co-operatives National Law Application Act 2013 — Whole Act — 3 March 2014 (Gazette S46, 18 February 2014).

6 **COMMITTEE RESIGNATIONS** — The Speaker announced that she had received the resignations of Ms Crozier, MLC, Mr McGuire and Mr Wakeling from the Family and Community Development Committee and Ms Hennessy from the Public Accounts and Estimates Committee, effective from 19 February 2014.

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

(1) Mr Madden and Ms Ryall be appointed members of the Family and Community Development Committee; and

(2) Ms Garrett be appointed a member of the Public Accounts and Estimates Committee —

(Ms Asher) — put and agreed to.

8 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 11 March 2014 *(Ms Asher)* — put and agreed to.

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

10 **TRANSPORT (SAFETY SCHEMES COMPLIANCE AND ENFORCEMENT) BILL 2014** — *Mr Mulder tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Thursday 6 March 2014.

11 **MENTAL HEALTH BILL 2014** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Thursday 6 March 2014.

12 **SUMMARY OFFENCES AND SENTENCING AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

13 **QUESTIONS** — (Under SO 55).

- 14 **SUMMARY OFFENCES AND SENTENCING AMENDMENT BILL 2013** — Debate continued on question — That this Bill be now read a second time.

Question — put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodggett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 43

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Bill considered in detail (*see pp 791–3*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 18 February 2014 had expired.

Question — That clauses 2 to 9 inclusive stand part of the Bill, the Bill be agreed to without amendment, and the Bill be now read a third time — put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodggett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 43

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **CORRECTIONS LEGISLATION AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 16 **LEGAL PROFESSION UNIFORM LAW APPLICATION BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 17 **SMALL BUSINESS COMMISSIONER AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 18 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (POPPY CULTIVATION AND PROCESSING) AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 19 **TRAVEL AGENTS REPEAL BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Napthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 43

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 4.11 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.57 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

CONSIDERATION IN DETAIL
Supplement to Votes Nos 170, 171 and 172

No 172 — Thursday 20 February 2014

SUMMARY OFFENCES AND SENTENCING AMENDMENT BILL 2013

Motion made and question — That the Summary Offences and Sentencing Amendment Bill 2013 be divided into two Bills as follows:

(a) A Summary Offences Amendment Bill 2014 being the Summary Offences and Sentencing Amendment Bill 2013 with the following changes:

(i) Long title as follows:

"A Bill for an Act to amend the **Summary Offences Act 1966** and for other purposes.";

(ii) Short title as follows:

"Summary Offences Amendment Bill 2014";

(iii) Heading to Part 1 of the Bill;

(iv) Clause 1 as follows:

"1 Purpose

The purpose of this Act is to amend the **Summary Offences Act 1966** in relation to directions to move on and to provide for the making of exclusion orders from public places.";

(v) Clause 2;

(vi) Heading to Part 2 of the Bill;

(vii) Clause 3;

(viii) Clause 4;

(ix) Clause 5;

(x) Clause 6;

(xi) Part 3 of the Bill omitted;

(xii) Heading to Part 4 of the Bill renumbered 3;

(xiii) Clause 9 renumbered 7;

(b) A Sentencing Amendment Bill 2014 being the Summary Offences and Sentencing Amendment Bill 2013 with the following changes:

(i) Long title as follows:

"A Bill for an Act to amend the **Sentencing Act 1991** and for other purposes.";

(ii) Short title as follows:

"Sentencing Amendment Bill 2014";

(iii) Heading to Part 1 of the Bill;

(iv) Clause 1 as follows:

"1 Purpose

The purpose of this Act is to amend the **Sentencing Act 1991** to provide for the making of alcohol exclusion orders in relation to offenders who commit certain violent assaults.";

(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;

(x) Heading to Part 4 of the Bill renumbered 3;

(xi) Clause 9 renumbered 5;

(c) That each Bill be printed and considered separately by the House.

(*Mr Pakula*) — after debate, put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 44

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mrs Bauer; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Mrs Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

Clause 1 agreed to.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 18 February 2014 had expired (for remaining stages see p 788).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 173, 174 and 175

No 173 — Tuesday 11 March 2014

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

2 **QUESTIONS** — (Under SO 55).

3 **WITNESS PROTECTION AMENDMENT BILL 2014** — Mr Wells obtained leave to bring in a Bill '*for an Act to amend the **Witness Protection Act 1991** to improve the operation of the Victorian witness protection program and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

4 **VICTORIA POLICE AMENDMENT (CONSEQUENTIAL AND OTHER MATTERS) BILL 2014** — Mr Wells obtained leave to bring in a Bill '*for an Act to amend Victorian Acts as a consequence of the enactment of the **Victoria Police Act 2013**, to amend that Act and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **TRANSPORT LEGISLATION AMENDMENT (FURTHER TAXI REFORM AND OTHER MATTERS) BILL 2014** — Mr Mulder obtained leave to bring in a Bill '*for an Act to amend the **Transport (Compliance and Miscellaneous) Act 1983**, the **Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013**, the **Transport Integration Act 2010**, the **Heavy Vehicle National Law Application Act 2013**, the **Ombudsman Act 1973** and the **Road Safety Amendment (Operator Onus) Act 2012** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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

Rail Revival Study — Requesting that the Legislative Assembly urges the Government to publicly announce its support for the Rail Revival Study to provide passenger rail services between Bendigo, Ballarat and Geelong and the intermediate communities and to make a suitable allocation in the forthcoming State Budget to carry out this initiative in full, bearing 1217 signatures (*Ms Edwards*)

New Residential Zones in Moreland — Requesting that the Legislative Assembly urges the Government and Moreland City Council to acknowledge the significant concern regarding the implementation of New Residential Zones within the City of Moreland, and that current heritage zonings and neighbourhood character be fully respected and reflected in any amendment to the Moreland Planning Scheme, bearing 1015 signatures (*Ms Garrett*)

Regional Rail Link Project — Requesting that the Legislative Assembly urges the Government to suspend works on the Regional Rail Link Project until such time as the following issues have been thoroughly researched and considered — (a) the long term financial and social outcomes of constructing the project based on using old, polluting technology versus planning for the electrification of the Melton, Geelong and Ballarat lines; (b) an independent analysis of the noise and air quality and ensure proper validation of the assessment; (c) community consultation with a view to implementing appropriate noise pollution protection through existing suburbs; (d) funding the grade separation of Fitzgerald/Forrest Road crossings and Mt Derrimut/Tilburn Road crossings to deal with the increase to traffic at Fitzgerald Road and Station Road; (e) funding the cutting of the regional rail line between Sunshine and Deer Park stations; and (f) alternative regional rail connections that are not

restricted to the corridor from Anderson Road to Deer Park Station, bearing 466 signatures (*Mr sLanguiller*)

Mount Ridley P-12 College — Requesting that the Legislative Assembly urges the Government to allow for the allocation of funding in the 2014 State Budget in order for Mount Ridley P-12 College to have permanent teaching spaces, bearing 254 signatures (*Ms Beattie*).

Petitions ordered to be tabled.

7 **PETITION — RAIL REVIVAL STUDY** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.

8 **PETITION — NEW RESIDENTIAL ZONES IN MORELAND** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Ms Garrett*) — put and agreed to.

9 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 3 of 2014 from the Scrutiny of Acts and Regulations Committee on the:

Corrections Amendment (Parole) Bill 2014

Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014

Fences Amendment Bill 2014

Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014

Honorary Justices Bill 2014

Mental Health Bill 2014

Transport (Safety Schemes Compliance and Enforcement) Bill 2014

Vexatious Proceedings Bill 2014

together with appendices.

Ordered to be tabled and printed.

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

Crimes (Controlled Operations) Act 2004 — Reports 2012–13 of the Victorian Inspectorate under s 39 (two documents)

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Torquay and Jan Juc Foreshore Reserve

Fisheries Act 1995 — Report 2012–13 of the Victorian Inspectorate under s 131T

Gambling Regulation Act 2003 — Amendment of Category 2 Public Lottery Licence under s 5.3.19

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Return March 2014 and Summary of Variations notified between 1 October 2013 and 6 March 2014 — Ordered to be printed

Municipal Association of Victoria — Report 2012–13

Planning and Environment Act 1987:

Amendment C72 to the Cardinia Planning Scheme and notice of permit granted under s 96I
 Notices of approval of amendments to the following Planning Schemes:

Boroondara — C160 Part 2
 Casey — GC5
 Colac Otway — C72 Part 1
 Corangamite — C35
 Glen Eira — C99
 Greater Bendigo — GC5
 Greater Geelong — C246
 Horsham — C57
 Melbourne — C142, C226, C228
 Melton — C151
 Monash — GC5
 Mount Alexander — C70
 Pyrenees — C38
 South Gippsland — C82
 Wangaratta — C47
 Whittlesea — C170
 Wyndham — C143, C151

Statutory Rules under the following Acts:

Australian Crime Commission (State Provisions) Act 2003 — SR 4
Co-operatives National Law Application Act 2013 — SR 3
Fisheries Act 1995 — SR 5
Transport (Compliance and Miscellaneous) Act 1983 — SR 6

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 3, 4, 5, 6
 Documents under s 16B in relation to *Education and Training Reform Act 2006* — Strategic Planning Guidelines (Amendment) — TAFE Institutes

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

Victorian Environmental Assessment Council Act 2001:

Government response to the Victorian Environmental Assessment Council's Report on the Yellingbo Investigation
 Request and statement under s 16

Water Act 1989 — Abolition of Shepparton Irrigation Region Groundwater Supply Protection Area Order 2014

Wildlife Act 1975 — Report 2012–13 of the Victorian Inspectorate under s 74P.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Public Administration Amendment (Public Sector Improvement) Act 2014 — Whole Act — 1 April 2014 (*Gazette S65, 4 March 2014*)
Superannuation Legislation Amendment Act 2013 — Part 1, Division 2 of Part 2, Part 3 and Part 4 — 1 April 2014 (*Gazette S65, 4 March 2014*).

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

Crimes Amendment (Grooming) Bill 2013
 Domestic Animals Amendment Bill 2013
 Drugs, Poisons and Controlled Substances Amendment Bill 2013.

- 11 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 25 February 2014, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Crimes Amendment (Grooming) Bill 2013
 Domestic Animals Amendment Bill 2013
 Drugs, Poisons and Controlled Substances Amendment Bill 2013
 Mineral Resources (Sustainable Development) Amendment Bill 2013
 Sustainable Forests (Timber) and Wildlife Amendment Bill 2013.

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

Honorary Justices Bill 2014
 Mental Health Bill 2014
 Transport (Safety Schemes Compliance and Enforcement) Bill 2014.

- 13 **HOUSE COMMITTEE** — The Speaker announced that she had received the resignation of Mr Drum, MLC, from the House Committee, effective from 25 February 2014.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2):

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

Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014
 Environment Protection and Sustainability Victoria Amendment Bill 2014
 Game Management Authority Bill 2013
 Health Services Amendment Bill 2014
 Mental Health Bill 2014
 Victorian Civil and Administrative Tribunal Amendment Bill 2014; and

- (2) the Notice of Motion, Government Business, relating to Cardinia Planning Scheme Amendments C72 and C183

be considered and completed by 4.00 pm on Thursday 13 March 2014 —

(*Ms Asher*) — after debate, put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

16 **EDUCATION AND TRAINING REFORM AMENDMENT (REGISTRATION OF EARLY CHILDHOOD TEACHERS AND VICTORIAN INSTITUTE OF TEACHING) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Corrections Legislation Amendment Bill 2013 without amendment.

18 **GAMBLING AND LIQUOR LEGISLATION AMENDMENT (REDUCTION OF RED TAPE) BILL 2014** — The Acting Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Gambling Regulation Act 2003** and the **Liquor Control Reform Act 1998** to further improve the operation of those Acts and for other purposes*'.

On the motion of Mr Walsh, the Bill was read a first time and ordered to be read a second time tomorrow.

19 **GAME MANAGEMENT AUTHORITY BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

20 **VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until stakeholders have been appropriately consulted to address concerns, including those about appeal rights and delays and any impacts on small parties and objectors, in relation to the Tribunal's proposed new power to order that a person cease to be a party to a proceeding' (*Mr Pakula*) — and, after debate —

Business having been interrupted at 10.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.45 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 174 — Wednesday 12 March 2014

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

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

Public Patients Care Services — Requesting that the Legislative Assembly urges the Government to action the following priority areas within the public hospital patient care services — (a) the quality of patient care services; (b) staff shortages; (c) violence in public hospitals especially emergency departments and Acute Psychiatric Units; and (d) recurrent funding and management arrangements for government action on service and system reforms, bearing 35 signatures (*Mr Trezise*)

Manor Lakes Station — Requesting that the Legislative Assembly urges the Government to give an unqualified commitment to ensuring that the name Manor Lakes station in Wyndham Vale is adopted, should the regional rail link station be built, bearing 1028 signatures (*Mr Pallas*).

Petitions ordered to be tabled.

- 3 **PETITION — PUBLIC PATIENTS CARE SERVICES** — Motion made and question — That the petition presented by the Member for Geelong be taken into consideration tomorrow (*Mr Trezise*) — put and agreed to.

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

Auditor-General — Apprenticeship and Traineeship Completion — Ordered to be printed

Ombudsman — Conflict of interest in the Victorian public sector — ongoing concerns — Ordered to be printed.

- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Summary Offences and Sentencing Amendment Bill 2013 without amendment.

- 6 **CORRECTIONS AMENDMENT (PAROLE) BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill 'for an Act to amend the *Corrections Act 1986* in relation to the conditions for making a parole order for the prisoner Julian Knight'.

On the motion of Mr Wells, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **SUSPENSION OF STANDING ORDERS — QUESTION TIME** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow, on Thursday 13 March 2014, question time to be at 11.00 am (*Ms Asher*) — put, after debate, and agreed to.

8 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow ministers' second reading speeches, in relation to the bills listed on the notice paper for Wednesday 12 or Thursday 13 March 2014, to be incorporated into Hansard (*Ms Asher*) — put and agreed to.

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

10 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — HAZELWOOD COALMINE FIRE** — The House was informed that Mr Andrews had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Napthine Government and local National Party MPs for abandoning residents in Morwell and neighbouring communities during the catastrophic Hazelwood coalmine fire.'

Mr Andrews addressed the House — Discussion followed.

11 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Scrutiny of Acts and Regulations Committee's Report on the Review of the *Charter of Human Rights and Responsibilities Act 2006*

Rural and Regional Committee's Report on the Inquiry into the Capacity of the Farming Sector to Attract and Retain Young Farmers and Respond to an Ageing Workforce

Rural and Regional Committee's Report on the Inquiry into the Opportunities for People to use Telecommuting and E-Business to Work Remotely in Rural and Regional Victoria

Family and Community Development Committee's Report on the Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry on Growing the Suburbs: Infrastructure and Business Development in Outer Suburban Melbourne.

12 **CARDINIA PLANNING SCHEME AMENDMENTS** — Motion made and question proposed — That under s 46AH of the *Planning and Environment Act 1987*, Cardinia Planning Scheme Amendments C72 and C183 be ratified (*Mr Clark*) — and, after debate —

Business having been interrupted at 2.00 pm under standing orders.

13 **QUESTIONS** — (Under SO 55).

14 **CARDINIA PLANNING SCHEME AMENDMENTS** — Resumption of debate on question — That under s 46AH of the *Planning and Environment Act 1987*, Cardinia Planning Scheme Amendments C72 and C183 be ratified — put and agreed to.

15 **WITNESS PROTECTION AMENDMENT BILL 2014** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Wednesday 26 March 2014.

- 16 **VICTORIA POLICE AMENDMENT (CONSEQUENTIAL AND OTHER MATTERS) BILL 2014** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Wednesday 26 March 2014.

- 17 **GAMBLING AND LIQUOR LEGISLATION AMENDMENT (REDUCTION OF RED TAPE) BILL 2014** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Wednesday 19 March 2014.

- 18 **MENTAL HEALTH BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 19 **HEALTH SERVICES AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.46 pm.

No 175 — Thursday 13 March 2014

1 The Speaker took the Chair and read the Prayer.

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

Family Violence Protection Act 2008 — Requesting that the Legislative Assembly urges the Government to amend s 6 of the *Family Violence Protection Act 2008* to include 'dowry or coercive demands for gifts or cash in the context of a new marriage' in the list of examples of economic abuse, bearing 173 signatures (*Mr Baillieu*)

Pound and Shrives Roads Intersection, Hampton Park — Requesting that the Legislative Assembly urges the Government to provide a funding commitment for safety improvements at the intersection of Pound and Shrives Roads, Hampton Park, bearing 58 signatures (*Ms Graley*)

Casey Central East Primary School — Requesting that the Legislative Assembly urges the Government to provide a funding commitment for the construction of Casey Central East Primary School, bearing 112 signatures (*Ms Graley*).

Petitions ordered to be tabled.

3 **PETITION — FAMILY VIOLENCE PROTECTION ACT 2008** — Motion made and question — That the petition presented by the Member for Hawthorn be taken into consideration tomorrow (*Mr Baillieu*) — put and agreed to.

4 **PETITION — POUND AND SHRIVES ROADS INTERSECTION, HAMPTON PARK**— Motion made and question — That the petition presented by the Member for Narre Warren South be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.

5 **PETITION — CASEY CENTRAL EAST PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Member for Narre Warren South be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.

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

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Millers Creek Bushland Reserve

Order under s 17D granting a lease over Westerfolds Park Reserve

Financial Management Act 1994 — 2013–14 Mid-Year Financial Report incorporating the Quarterly Financial Report No 2 for the period ended 31 December 2013.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 25 March 2014 (*Ms Asher*) — put and agreed to.

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

9 **TRANSPORT LEGISLATION AMENDMENT (FURTHER TAXI REFORM AND OTHER MATTERS) BILL 2014** — *Mr Mulder tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

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

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

Ordered — That the debate be adjourned until Thursday 27 March 2014.

- 10 **CORRECTIONS AMENDMENT (PAROLE) BILL 2014** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

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

Mr Wells made the statement explaining the exceptional circumstances that justify the inclusion of the override declaration required by s 31 of the Charter of Human Rights and Responsibilities Act 2006.

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

Ordered — That the debate be adjourned until Thursday 20 March 2014.

- 11 **ENVIRONMENT PROTECTION AND SUSTAINABILITY VICTORIA AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under standing orders as varied by the resolution of the House on Wednesday 12 March 2014.

- 12 **QUESTIONS** — (Under SO 55).

- 13 **ENVIRONMENT PROTECTION AND SUSTAINABILITY VICTORIA AMENDMENT BILL 2014** — Debate resumed on question — That this Bill be now read a second time.

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

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

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

Drugs, Poisons and Controlled Substances (Poppy Cultivation and Processing) Amendment Bill 2013
Travel Agents Repeal Bill 2013.

- 15 **MENTAL HEALTH BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and considered in detail (*see pp 808–9*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 11 March 2014 had expired.

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

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

Question — That clause 99 stand part of the Bill — put and agreed to.

Question — That clauses 100 to 457 inclusive stand part of the Bill, the Schedule stand part of the Bill, the Bill be agreed to without amendment and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **HEALTH SERVICES AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 17 **EDUCATION AND TRAINING REFORM AMENDMENT (REGISTRATION OF EARLY CHILDHOOD TEACHERS AND VICTORIAN INSTITUTE OF TEACHING) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 18 **GAME MANAGEMENT AUTHORITY BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

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

Bill sent to the Legislative Council and their agreement requested.

- 19 **VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until stakeholders have been appropriately consulted to address concerns, including those about appeal rights and delays and any impacts on small parties and objectors, in relation to the Tribunal's proposed new power to order that a person cease to be a party to a proceeding'.

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

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

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

Bill sent to the Legislative Council and their agreement requested.

20 **ENVIRONMENT PROTECTION AND SUSTAINABILITY VICTORIA AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

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

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 4.15 pm under sessional orders.

- 21 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.54 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 173, 174 and 175

No 175 — Thursday 13 March 2014

MENTAL HEALTH BILL 2014

Clause 1 agreed to.

Clause 2 agreed to.

Clause 3, Mr Andrews moved amendment No 1 (*see Schedule*).

Question — That the amendment be agreed to — put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

NOES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

Question defeated.

Clause agreed to.

Clauses 4 to 98 agreed to.

Clause 99, Mr Andrews moved amendment No 2 (*see Schedule*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 11 March 2014 had expired (for remaining stages see pp 804–5).

SCHEDULE OF AMENDMENTS MOVED

MENTAL HEALTH BILL 2014

Amendments moved by Mr Andrews

1. Clause 3, page 7, lines 14 to 18, omit all words and expressions on those lines.
2. Clause 99, after line 33 insert—
 - "() The chief psychiatrist must provide a written report to the Minister before 1 October 2016 in relation to the period starting on 1 July 2014 and ending on 30 June 2016 that—
 - (a) states the number of young persons (irrespective of whether the young persons were patients) who received a course of electroconvulsive treatment at a designated mental health service; and
 - (b) provides details of any discomfort or side effects of the electroconvulsive treatment experienced by any young person referred to in paragraph (a) that have been reported to the chief psychiatrist by the young person's psychiatrist or authorised psychiatrist, the Tribunal or the Commissioner.
 - () The Minister must cause to be tabled in each House of the Parliament before 31 December 2016—
 - (a) a copy of the report; and
 - (b) the Minister's response to the report, including any recommendations."

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 176, 177 and 178

No 176 — Tuesday 25 March 2014

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** — (Under SO 55).
- 3 **OMBUDSMAN** — The Speaker advised that, on 19 March 2014, she administered to Deborah Anne Glass, the Ombudsman, the oath required by s 10 of the *Ombudsman Act 1973*.
- 4 **CRIMES AMENDMENT (PROTECTION OF CHILDREN) BILL 2014** — Mr Clark obtained leave to bring in a Bill *'for an Act to amend the Crimes Act 1958, the Working with Children Act 2005, the Children, Youth and Families Act 2005 and the Serious Sex Offenders (Detention and Supervision) Act 2009 in relation to the sexual abuse of children and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **JUSTICE LEGISLATION AMENDMENT BILL 2014** — Mr Wells obtained leave to bring in a Bill *'for an Act to amend the Country Fire Authority Act 1958, the Emergency Management Act 1986, the Emergency Management Act 2013 and the Emergency Services Telecommunications Authority Act 2004 and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **CRIME STATISTICS BILL 2014** — Mr Wells obtained leave to bring in a Bill *'for an Act to provide for the publication of crime statistics and the employment of a Chief Statistician for that purpose, to amend the Commissioner for Law Enforcement Data Security Act 2005 and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Medical Practitioners' Choice to Refer Patients — Requesting that the Legislative Assembly urges the Government to protect the doctors, nurses and allied health professionals in Victoria, who care for mothers and their unborn children, because no Victorian health professional should be forced to act against their conscience and refer a patient for an abortion, especially when abortions do not require referral, bearing 8 signatures (*Mr Trezise*).

Ordered to be tabled.
- 8 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 4 of 2014 from the Scrutiny of Acts and Regulations Committee on the:

Corrections Amendment (Further Parole Reform) Bill 2014
Mental Health Bill 2014
Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014
Victoria Police Amendment (Consequential and Other Matters) Bill 2014
Vexatious Proceedings Bill 2014
Witness Protection Amendment Bill 2014

together with appendices.

Ordered to be tabled and printed.

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

Commissioner for Environmental Sustainability Act 2003 — Strategic Audit of Environmental Management Systems in Victorian Government 2012–13

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Lorne Foreshore Reserve

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 2 (*Gazette G12, 20 March 2014*)

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

Campaspe — C100
 Cardinia — C181
 Casey — C91, C191
 Central Goldfields — C25
 Corangamite — C34
 East Gippsland — C116
 Greater Bendigo — C183, C189
 Greater Geelong — C304
 Maroondah — C88
 Melbourne — C142
 Mildura — C64
 Moonee Valley — C108
 Moorabool — C6 Part 2
 Moreland — C128
 Mornington Peninsula — C155, C175, C195
 Port Phillip — C78
 Stonnington — C109
 Surf Coast — C66, C79, C95
 Wellington — C81
 Whitehorse — C156
 Wodonga — C111
 Wyndham — C182, C205
 Yarra — C117.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Sustainable Forests (Timber) and Wildlife Amendment Act 2014 — Part 1, ss 4(3), 5, 7 and 13, Part 3 and Part 5 — 14 March 2014 (*Gazette S72, 11 March 2014*)

Tobacco Amendment Act 2013 — Whole Act — 1 April 2014 (*Gazette S81, 18 March 2014*).

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

Legal Profession Uniform Law Application Bill 2013
 Small Business Commissioner Amendment Bill 2013.

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

On 18 March 2014

Corrections Legislation Amendment Bill 2013

Drugs, Poisons and Controlled Substances (Poppy Cultivation and Processing) Amendment Bill 2013

Small Business Commissioner Amendment Bill 2013

Summary Offences and Sentencing Amendment Bill 2013

Travel Agents Repeal Bill 2013

On 25 March 2014

Legal Profession Uniform Law Application Bill 2013.

- 11 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014.

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

20 March 2014

The Hon Christine Fyffe MP

Speaker

Legislative Assembly

Parliament House

Melbourne Vic 3002

Dear Speaker

I write to advise that The Hon Peter Hall MLC called on me on Monday 17 March 2014 and handed me his letter of resignation as Member of the Legislative Council for Eastern Victoria, effective from that date. It seems that section 27A of the *Constitution Act 1975* requires a joint sitting of the Council and Assembly to fill this vacancy.

I have advised the President and the Premier in like terms.

I enclose a copy of Mr Hall's letter for your records.

Yours sincerely

Alex Chernov

Governor.

- 13 **COMMITTEE RESIGNATIONS** — The Speaker announced that she had received the resignations of:

- (1) Mr Shaw and Mrs Peulich MLC from the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee, effective from 20 March 2014 and today respectively;
- (2) Mr Northe from the Electoral Matters Committee, effective from 14 March 2014;
- (3) Mr Bull from the Environment and Natural Resources Committee, effective from 19 March 2014;

- (4) Mr O'Brien MLC from the Family and Community Development Committee, effective from today;
- (5) Mr Drum MLC from the Rural and Regional Committee, effective from 24 March 2014;
- (6) Mr Newton-Brown and Ms Hennessy from the IBAC Committee, effective from 21 March 2014 and today respectively.

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

- (1) Mr Delahunty be appointed a member of the Electoral Matters Committee;
- (2) Mrs Powell be appointed a member of the Family and Community Development Committee; and
- (3) Ms Kanis and Mr Kotsiras be appointed members of the IBAC Committee —

(Ms Asher) — put and agreed to.

15 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow ministers' second reading speeches, in relation to the bills listed on the notice paper for Wednesday 26 or Thursday 27 March 2014, to be incorporated into Hansard *(Ms Asher)* — put and agreed to.

16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 27 March 2014:

Children, Youth and Families Amendment (Security Measures) Bill 2013
 Corrections Amendment (Parole) Bill 2014
 Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014
 Justice Legislation Amendment (Discovery, Disclosure and Other Matters) Bill 2014
 Transport (Safety Schemes Compliance and Enforcement) Bill 2014
 Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014
 Water Amendment (Water Trading) Bill 2014

(Ms Asher) — after debate, put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — The Speaker announced the receipt of a message from the Legislative Council proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Peter Hall and that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday 26 March 2014 at 6.15 pm.

Ordered — That the message be taken into consideration immediately.

Motion made and question — That this House agrees to the Legislative Council's proposal for a joint sitting on Wednesday 26 March 2014 at 6.15 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Peter Hall (*Ms Asher*) — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 19 **CORRECTIONS AMENDMENT (PAROLE) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

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

- 20 **GAMBLING AND LIQUOR LEGISLATION AMENDMENT (REDUCTION OF RED TAPE) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

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

Ordered — That the debate be adjourned until later this day.

- 21 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Environment Protection and Sustainability Victoria Amendment Bill 2014 without amendment.

- 22 **TRANSPORT (SAFETY SCHEMES COMPLIANCE AND ENFORCEMENT) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 23 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.48 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 177 — Wednesday 26 March 2014

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Bulk Water Extraction Development in Indigo Shire Council — Requesting that the Legislative Assembly supports the Benambra community by advising Indigo Shire Council that the application for the permit by Stanley Pastoral Pty Ltd for bulk water extraction development should be rejected, bearing 376 signatures (*Mr Tilley*)

Bus Services in the Northern Suburbs — Requesting that the Legislative Assembly directs the Government to restore bus services in the northern suburbs, bearing 38 signatures (*Ms D'Ambrosio*)

Victorian Taxi Drivers' Income — Requesting that the Legislative Assembly ensures that taxi fares and rates are increased to the equivalent of the New South Wales taxi rates to allow taxi drivers to earn an income equal with NSW drivers, bearing 194 signatures (*Ms Barker*).

Petitions ordered to be tabled.

3 **PETITION — BUS SERVICES IN THE NORTHERN SUBURBS** — Motion made and question — That the petition presented by the Member for Mill Park be taken into consideration tomorrow (*Ms D'Ambrosio*) — put and agreed to.

4 **PETITION — BULK WATER EXTRACTION DEVELOPMENT IN INDIGO SHIRE COUNCIL** — Motion made and question — That the petition presented by the Member for Benambra be taken into consideration tomorrow (*Mr Tilley*) — put and agreed to.

5 **PETITION — VICTORIAN TAXI DRIVERS' INCOME** — Motion made and question — That the petition presented by the Member for Oakleigh be taken into consideration tomorrow (*Ms Barker*) — put and agreed to.

6 **DOCUMENTS**

COMMUNITY VISITORS REPORT 2012–13 — Government response tabled by leave (*Ms Wooldridge*).

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Morris, Chair, presented a report from the Public Accounts and Estimates Committee on the Review of the Performance Measurement and Reporting System, together with appendices.

Ordered to be tabled and printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Residential Care Services for Children — Ordered to be printed

Ombudsman:

Investigation into deaths and harm in custody — Ordered to be printed

Investigation into Latrobe City Council's failure to reinstate Summerfield Track following a landslip in June 2012 — Ordered to be printed

Professional Standards Act 2003 — CPA Australia Limited Professional Standards Scheme under s 14 (*Gazette S53, 21 February 2014*).

7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014 without amendment.

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Mental Health Bill 2014 with amendments.

Ordered — That the amendments be taken into consideration later this day.

9 **STATEMENTS BY MEMBERS** — Statements by members were made.

10 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

11 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2013–14 Budget Estimates Part Two

Economic Development and Infrastructure Committee's Report on the Inquiry into Local Economic Development Initiatives in Victoria

Rural and Regional Committee's Report on the Inquiry into the Opportunities for People to use Telecommuting and E-Business to Work Remotely in Rural and Regional Victoria

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry into Liveability Options in Outer Suburban Melbourne

Public Accounts and Estimates Committee's Report on the Review of the Performance Measurement and Reporting System.

12 **CRIMES AMENDMENT (PROTECTION OF CHILDREN) BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 April 2014.

13 **JUSTICE LEGISLATION AMENDMENT BILL 2014** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wells*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 April 2014.

- 14 **CRIME STATISTICS BILL 2014** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wells*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 April 2014.

- 15 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (SECURITY MEASURES) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 16 **QUESTIONS** — (Under SO 55).

- 17 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (SECURITY MEASURES) BILL 2013** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Pallas*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **MENTAL HEALTH BILL 2014** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 19 **JUSTICE LEGISLATION AMENDMENT (DISCOVERY, DISCLOSURE AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.50 pm.

No 178 — Thursday 27 March 2014

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Upgrading O'Herns Road and Hume Freeway — Requesting that the Legislative Assembly urges the Government to fund and commence work on — (a) upgrading Epping Road; and (b) building on-ramps from O'Herns Road to the Hume Freeway as a matter of urgency, bearing 10 signatures (*Ms Green*)

Police Resources for Whittlesea — Requesting that the Legislative Assembly urges the Government to work with the local community to upgrade police resources serving the north of the City of Whittlesea, bearing 112 signatures (*Ms Green*)

Hazel Glen College — Requesting that the Legislative Assembly urges the Government to fund phase 2 of Hazel Glen College in the 2014 Budget as well as funding new bus services, cycle routes and footpaths to serve the school, bearing 213 signatures (*Ms Green*)

School Bus Services in Melbourne's North — Requesting that the Legislative Assembly urges the Government to reinstate existing school bus services and to improve local transport options in Nillumbik, with more bus services and upgrades to cycle and footpaths such as the Hurstbridge rail trail, bearing 81 signatures (*Ms Green*)

Yan Yean Road Upgrade — Requesting that the Legislative Assembly urges the Government to fund the upgrade of Yan Yean Road, bearing 2214 signatures (*Ms Green*).

Petitions ordered to be tabled.

3 **PETITION — UPGRADING O'HERNS ROAD AND HUME FREEWAY** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

4 **PETITION — POLICE RESOURCES FOR WHITTLESEA** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

5 **PETITION — HAZEL GLEN COLLEGE** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

6 **PETITION — SCHOOL BUS SERVICES IN MELBOURNE'S NORTH** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

7 **PETITION — YAN YEAN ROAD UPGRADE** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

8 **DOCUMENTS**

ELECTORAL MATTERS COMMITTEE — Mr Delahunty presented a report from the Electoral Matters Committee on the Inquiry into the future of Victoria's electoral administration, together with appendices, an extract from the proceedings, minority reports and transcripts of evidence.

Ordered to be tabled and the report, appendices, extract from the proceedings and minority reports printed.

PRIVILEGES COMMITTEE — Mr Walsh, Chair, presented a special report from the Privileges Committee on the Investigation into the Improper Disclosure of Committee Deliberations, together with appendices.

Ordered to be tabled and printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Financial Management Regulations 2004 — Order under regulation 8 authorising the Board of Inquiry into the Hazelwood Mine Fire to incur expenses and obligations

Ombudsman:

Investigation into advice provided to the office of the Minister for Planning by the Department of Planning and Community Development in relation to land development at Phillip Island — Ordered to be printed

Investigation into allegations of improper procurement of services by the Department of Education and Early Childhood Development — Ordered to be printed

Safe Drinking Water Act 2003 — Drinking Water Quality in Victoria Report 2012–13

Statutory Rules under the following Acts:

Major Crime (Investigative Powers) Act 2004 — SR 7

Tobacco Act 1987 — SR 8

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 7, 8.

- 9 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met on 26 March 2014 with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of Peter Hall and that Daniel David O'Brien has been duly chosen to hold the vacant place.

- 10 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 11 **TRANSPORT LEGISLATION AMENDMENT (FURTHER TAXI REFORM AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Mulder announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.

Debate resumed on question — That this Bill be now read a second time.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until appropriate consultation with stakeholders has occurred to address serious concerns about the bill including, but not limited to:

- (1) the impact of the proposed Price Notification Scheme on taxi operators in co-operatively run Network Service Providers in regional Victoria;
- (2) possible fare increases; and

(3) consumer protections for regional Victorians, particularly in relation to the proposed Price Notification Scheme' (*Ms Hennessy*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Health Services Amendment Bill 2014 without amendment.

13 **WATER AMENDMENT (WATER TRADING) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

14 **QUESTIONS** — (Under SO 55).

15 **WATER AMENDMENT (WATER TRADING) BILL 2014** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 25 March 2014 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

16 **TRANSPORT (SAFETY SCHEMES COMPLIANCE AND ENFORCEMENT) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

17 **GAMBLING AND LIQUOR LEGISLATION AMENDMENT (REDUCTION OF RED TAPE) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

18 **JUSTICE LEGISLATION AMENDMENT (DISCOVERY, DISCLOSURE AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

19 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (SECURITY MEASURES) BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **CORRECTIONS AMENDMENT (PAROLE) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

- 21 **TRANSPORT LEGISLATION AMENDMENT (FURTHER TAXI REFORM AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until appropriate consultation with stakeholders has occurred to address serious concerns about the bill including, but not limited to:

- (1) the impact of the proposed Price Notification Scheme on taxi operators in co-operatively run Network Service Providers in regional Victoria;
- (2) possible fare increases; and
- (3) consumer protections for regional Victorians, particularly in relation to the proposed Price Notification Scheme'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Question — That this Bill be now read a second time, the Government amendment be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 4.07 pm under sessional orders.

- 22 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived, and, after debate, the Acting Speaker left the Chair at 4.51 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 179, 180 and 181

No 179 — Tuesday 1 April 2014

1 The Speaker took the Chair and read the Prayer.

2 **QUESTIONS** — (Under SO 55).

3 **LOCAL GOVERNMENT AMENDMENT (GOVERNANCE AND CONDUCT) BILL 2014** — Mr Bull obtained leave to bring in a Bill *for an Act to amend the Local Government Act 1989 to further provide for councillor conduct issues and other matters, to consequentially amend the City of Greater Geelong Act 1993, the City of Melbourne Act 2001, the Legal Profession Uniform Law Application Act 2014 and the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

4 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Nunawading Primary School Site — Requesting that the Legislative Assembly urges the Government to — (a) transfer the land around the former Nunawading Primary School site at no cost to the Whitehorse City Council, or maintain the land for public and community use only; and (b) undertake genuine consultation with the community in the City of Whitehorse, including the Council prior to making any further decisions about the future of the land, bearing 1073 signatures (*Mr Brooks*).

Ordered to be tabled.

5 **PETITION — NUNAWADING PRIMARY SCHOOL SITE** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.

6 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crimes Act 1958 — Instrument of Authorisation under s 464Z

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Benalla — C10

Boroondara — C147

Mornington Peninsula — C163 Part 2

South Gippsland — C79

Southern Grampians — C31

Stonnington — C174

Towong — C31

Wangaratta — C38, C46

Whittlesea — C177

Statutory Rule under the *Gas Safety Act 1997* — SR 9.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Electricity Safety Amendment (Bushfire Mitigation) Act 2014 — Whole Act (other than s 12(2)) — 1 April 2014 (*Gazette S94, 25 March 2014*)

Energy Legislation Amendment (General) Act 2014 — Whole Act — 1 April 2014 (*Gazette S94, 25 March 2014*)

Gambling Regulation Amendment (Pre-commitment) Act 2014 — Whole Act (except ss 32, 33 and 34) — 30 March 2014 (*Gazette S94, 25 March 2014*).

7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Victorian Civil and Administrative Tribunal Amendment Bill 2014 without amendment.

8 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had today given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Corrections Amendment (Parole) Bill 2014

Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014

Environment Protection and Sustainability Victoria Amendment Bill 2014

Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Bill 2014

Health Services Amendment Bill 2014

Victorian Civil and Administrative Tribunal Amendment Bill 2014.

9 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow ministers' second reading speeches, in relation to the bills listed on the notice paper for Wednesday 2 or Thursday 3 April 2014, to be incorporated into Hansard (*Ms Asher*) — put and agreed to.

10 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 3 April 2014:

Fences Amendment Bill 2013

Honorary Justices Bill 2014

Jury Directions Amendment Bill 2013

Sale of Land Amendment Bill 2014

State Taxation Legislation Amendment Bill 2014

Vexatious Proceedings Bill 2014

Witness Protection Amendment Bill 2014

(*Ms Asher*) — after debate, put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

The Speaker announced that, as the government business program is a long established practice of the House and provides members and the public with some certainty as to what will be considered during the week, she casts her vote with the ayes.

Question agreed to.

11 **STATEMENTS BY MEMBERS** — Statements by members were made.

12 **FENCES AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Delahunty*) — after debate, put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Game Management Authority Bill 2013 without amendment.

14 **CORRECTIONS AMENDMENT (FURTHER PAROLE REFORM) BILL 2014** — The Acting Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Corrections Act 1986** to make special provisions in relation to the release of a prisoner on parole in respect of a sexual offence or a serious violent offence and to a prisoner whose parole has been previously cancelled, to clarify certain provisions relating to the procedures of meetings of the Adult Parole Board and for other purposes*'.

On the motion of Mr Wells, the Bill was read a first time and ordered to be read a second time tomorrow.

- 15 **HONORARY JUSTICES BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 16 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.46 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 180 — Wednesday 2 April 2014

- 1 The Speaker took the Chair and read the Prayer.
- 2 **SENTENCING AMENDMENT (BASELINE SENTENCES) BILL 2014** — Mr Clark obtained leave to bring in a Bill *for an Act to amend the Sentencing Act 1991 to provide for baseline sentences for indictable offences, to amend the Crimes Act 1958 and the Drugs, Poisons and Controlled Substances Act 1981 to fix a baseline sentence for certain offences against those Acts and for other purposes*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Rubbish Dumping on Crown Land in Castlemaine** — Requesting that the Legislative Assembly urges the Government to call on the Minister for Environment and Climate Change to — (a) immediately cease the dumping on Crown Land on Matheson Road, Castlemaine and appropriately dispose of all the currently dumped rubbish, debris and litter to the shire's landfill site; and (b) prohibit any planned burning of dumped material in its current location, bearing 39 signatures (*Ms Edwards*)
- East West Link Tunnel Policy** — Requesting that the Legislative Assembly urges the Government to take the \$8 billion East West link tunnel policy to an election and let the Victorian people decide, bearing 387 signatures (*Mr Wynne*)
- East West Link Tunnel Mandate** — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West link tunnel, bearing 51 signatures (*Mr Wynne*).
- Petitions ordered to be tabled.
- 4 **PETITION — RUBBISH DUMPING ON CROWN LAND IN CASTLEMAINE** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 5 **PETITION — EAST WEST LINK TUNNEL POLICY** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 6 **PETITION — EAST WEST LINK TUNNEL MANDATE** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.

7 **DOCUMENTS**

VICTORIAN GOVERNMENT ABORIGINAL AFFAIRS REPORT 2013 — Tabled by leave (*Mr Bull*).

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Mr Clark presented by Command of the Governor:

Children's Court of Victoria — Report 2012–13

Ordered to be tabled.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.9 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — PUBLIC TRANSPORT POLICIES** — The House was informed that Mr Mulder had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House congratulates the Coalition Government for improving affordability, safety, reliability and punctuality on public transport, and its investment in rail and road infrastructure, and notes Labor's record of failure during its 11 years in office.'

Mr Mulder addressed the House — Discussion followed.

10 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the Review of the Performance Measurement and Reporting System

Public Accounts and Estimates Committee's Report on the 2013–14 Budget Estimates Part One

Electoral Matters Committee's Report on the Inquiry into the future of Victoria's electoral administration

Scrutiny of Acts and Regulations Committee's Report on the Review of the *Charter of Human Rights and Responsibilities Act 2006*.

11 **CORRECTIONS AMENDMENT (FURTHER PAROLE REFORM) BILL 2014** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wells*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 April 2014.

- 12 **LOCAL GOVERNMENT AMENDMENT (GOVERNANCE AND CONDUCT) BILL 2014** — *Mr Bull tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Bull*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 16 April 2014.

- 13 **SALE OF LAND AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 14 **QUESTIONS** — (Under SO 55).

- 15 **SALE OF LAND AMENDMENT BILL 2014** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Asher*) — put, after debate, and defeated.

Debate resumed on question — That this Bill be now read a second time.

Question — put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 41

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

By leave, Bill immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 16 **VEXATIOUS PROCEEDINGS BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.41 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 181 — Thursday 3 April 2014

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Intersection of Para and Rattray Roads, Montmorency — Requesting that the Legislative Assembly urges the Government to install full traffic signals at the intersection of Para and Rattray Roads in Montmorency, bearing 107 signatures (*Mr Herbert*)

Inner West Public Secondary School Network — Requesting that the Legislative Assembly urges the Government to immediately begin planning to build additional capacity into the inner west public secondary school network, bearing 236 and 335 signatures (*Ms Thomson (Footscray) and Mr Noonan respectively*)

Melton Highway Level Crossing — Requesting that the Legislative Assembly urges the Government to fix the Melton Highway level crossing, bearing 197 signatures (*Ms Hutchins*)

Multi-disciplinary Assessments at Sunshine Hospital — Requesting that the Legislative Assembly urges the Government to restore multi-disciplinary assessments at Sunshine Hospital for children beginning school in 2014, bearing 8 signatures (*Ms Hutchins*)

Extension to No 86 Tram Route — Requesting that the Legislative Assembly urges the Government to extend the number 86 tram route to South Morang Rail Station in Mill Park, bearing 2306 signatures (*Ms D'Ambrosio*)

Respite Beds for Whittlesea — Requesting that the Legislative Assembly urges the Government to fund overnight facility-based respite beds in the City of Whittlesea in the next state budget, bearing 697 signatures (*Ms Green*).

Petitions ordered to be tabled.

- 3 **PETITION — INTERSECTION OF PARA AND RATTRAY ROADS, MONTMORENCY** — Motion made and question — That the petition presented by the Member for Eltham be taken into consideration tomorrow (*Mr Herbert*) — put and agreed to.
- 4 **PETITION — INNER WEST PUBLIC SECONDARY SCHOOL NETWORK** — Motion made and question — That the petition presented by the Member for Williamstown be taken into consideration tomorrow (*Mr Noonan*) — put and agreed to.
- 5 **PETITION — INNER WEST PUBLIC SECONDARY SCHOOL NETWORK** — Motion made and question — That the petition presented by the Member for Footscray be taken into consideration tomorrow (*Mr Noonan*) — put and agreed to.

- 6 **PETITION — EXTENSION TO NO 86 TRAM ROUTE** — Motion made and question — That the petition presented by the Member for Mill Park be taken into consideration tomorrow (*Ms D'Ambrosio*)— put and agreed to.
- 7 **PETITION — RESPITE BEDS FOR WHITTLESEA** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 8 **PETITION — MULTI-DISCIPLINARY ASSESSMENTS AT SUNSHINE HOSPITAL** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.
- 9 **PETITION — MELTON HIGHWAY LEVEL CROSSING** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

10 **DOCUMENTS**

AUSTRALIAN CATHOLIC UNIVERSITY LTD — Report 2013 tabled by leave (*Mr Wakeling*).

UNIVERSITY OF DIVINITY — Report 2013 tabled by leave (*Mr Wakeling*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Adult Multicultural Education Services — Report 2013

Auditor-General — Access to Education for Rural Students — Ordered to be printed

Ballarat University — Report 2013

Bendigo TAFE — Report 2013

Box Hill Institute — Report 2013

Central Gippsland Institute of TAFE — Report 2013

Centre for Adult Education — Report 2013

Chisholm Institute — Report 2013

Deakin University — Report 2013

Driver Education Centre of Australia Ltd — Report 2013

Gordon Institute of TAFE — Report 2013

Goulburn Ovens Institute of TAFE — Report 2013 (two documents)

Holmesglen Institute — Report 2013

Kangan Institute — Report 2013

La Trobe University — Report 2013

Melbourne University — Report 2013 (two documents)

Monash University — Report 2013

RMIT University — Report 2013

South West Institute of TAFE — Report 2013

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 9

Sunraysia Institute of TAFE — Report 2013

Swinburne University of Technology — Report 2013

Victoria University — Report 2013

Wildlife Act 1975 — Wildlife (Prohibition on Game Hunting) Notice No 2/2014

William Angliss Institute of TAFE — Report 2013

Wodonga Institute of TAFE — Report 2013.

- 11 **ACTING SPEAKERS** — The following warrant appointing Acting Speakers was tabled by the Speaker:

VICTORIA
LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Neil Angus, Gary Blackwood, Neale Burgess, Peter Crisp, Tim McCurdy, Andrew McIntosh, Lucinda McLeish, David Morris, Dee Ryall, Bill Sykes and Murray Thompson to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant replaces the previous warrant of 5 February 2014.

Given under my hand on 3 April 2014.

Hon Christine Fyffe
SPEAKER

- 12 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 6 May 2014 (*Ms Asher*) — put and agreed to.

- 13 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 14 **SENTENCING AMENDMENT (BASELINE SENTENCES) BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 17 April 2014.

- 15 **STATE TAXATION LEGISLATION AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr O'Brien announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to —

- (1) take into account the outcome of extensive public consultation about the proposed amendments to the *Congestion Levy Act 2005* and the *Gambling Regulation Act 2003*, as many are strongly opposed to these provisions; and
- (2) retain the remaining provisions relating to the proposed amendments to the *Fire Services Property Levy Act 2012* and the *Valuation of Land Act 1960* (Mr Pallas) — and, after debate —

Business having been interrupted at 2.00 pm under standing orders.

- 16 **QUESTIONS** — (Under SO 55).

- 17 **STATE TAXATION LEGISLATION AMENDMENT BILL 2014** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Justice Legislation Amendment (Discovery, Disclosure and Other Matters) Bill 2014
 Transport (Safety Schemes Compliance and Enforcement) Bill 2014
 Water Amendment (Water Trading) Bill 2014.

- 19 **WITNESS PROTECTION AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 1 April 2014 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **JURY DIRECTIONS AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 43

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Mr Shaw; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question defeated.

- 21 **VEXATIOUS PROCEEDINGS BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **HONORARY JUSTICES BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 23 **FENCES AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 24 **STATE TAXATION LEGISLATION AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to —

- (1) take into account the outcome of extensive public consultation about the proposed amendments to the *Congestion Levy Act 2005* and the *Gambling Regulation Act 2003*, as many are strongly opposed to these provisions; and
- (2) retain the remaining provisions relating to the proposed amendments to the *Fire Services Property Levy Act 2012* and the *Valuation of Land Act 1960*.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 4 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 25 **WITNESS PROTECTION AMENDMENT BILL 2014** — The Speaker announced that she had received a report from the Clerk that he has made the following correction in the Bill:

In clause 33, line 18, after 'Principal' he has added 'Act'.

Business having been interrupted at 4.12 pm under sessional orders.

- 26 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.47 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 182, 183 and 184

No 182 — Tuesday 6 May 2014

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** — (Under SO 55).
- 3 **WATER AMENDMENT (FLOOD MITIGATION) BILL 2014** — Mr Walsh obtained leave to bring in a Bill *'for an Act to amend the **Water Act 1989**, the **Conservation, Forests and Lands Act 1987**, the **Crown Land (Reserves) Act 1978**, the **Forests Act 1958**, the **Land Act 1958**, the **National Parks Act 1975** and the **Wildlife Act 1975** and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **BUILDING LEGISLATION AMENDMENT BILL 2014** — Mr Clark obtained leave to bring in a Bill *'for an Act to amend the **Architects Act 1991**, the **Building Act 1993** and the **Domestic Building Contracts Act 1995**, to repeal the **House Contracts Guarantee Act 1987** and to make consequential amendments to other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **FINES REFORM BILL 2014** — Mr Clark obtained leave to bring in a Bill *'for an Act to provide for the appointment of the Director, Fines Victoria, to provide for the collection and enforcement of infringement fines and court fines, to make amendments to the **Infringements Act 2006** and the **Sheriff Act 2009**, to consequentially amend other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **BUILDING A BETTER VICTORIA (STATE TAX AND OTHER LEGISLATION AMENDMENT) BILL 2014** — Mr O'Brien obtained leave to bring in a Bill *'for an Act to amend the **Duties Act 2000**, the **First Home Owner Grant Act 2000**, the **Land Tax Act 2005**, the **Payroll Tax Act 2007**, the **Planning and Environment Act 1987**, the **Road Safety Act 1986** and the **Taxation Administration Act 1997** and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **TREASURY LEGISLATION AND OTHER ACTS AMENDMENT BILL 2014** — Mr O'Brien obtained leave to bring in a Bill *'for an Act to amend the **Emergency Services Superannuation Act 1986**, the **Parliamentary Salaries and Superannuation Act 1968**, the **State Superannuation Act 1988**, the **Workplace Injury Rehabilitation and Compensation Act 2013**, the **Accident Compensation Act 1985** and the **Victorian Managed Insurance Authority Act 1996** and to amend certain Acts to update the operation of indexation provisions in or under those Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **CORRECTIONS AMENDMENT (SMOKE-FREE PRISONS) BILL 2014** — Mr Wells obtained leave to bring in a Bill *'for an Act to amend the **Corrections Act 1986** to provide for the prohibition and regulation of smoking and the entry, use and possession of tobacco products and tobacco smoking accessories in Victorian prisons, to consequentially amend the **Tobacco Act 1987** and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.

9 **CHILDREN, YOUTH AND FAMILIES AMENDMENT BILL 2014** — Ms Wooldridge obtained leave to bring in a Bill *'for an Act to amend the Children, Youth and Families Act 2005 to provide for child safety conferences in respect of children who are in need of protection and to make further provision in relation to the authorisation of a principal officer of an Aboriginal agency and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.

10 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Ann Nichol House — Requesting that the Legislative Assembly urges the Minister for Health to intervene in the sale of Ann Nichol House, by approving a stay on the transfer of Crown Land, on which the facility is situated, to a private provider, bearing 1340 signatures (*Ms Neville*)

Tarran Valley Estate Subdivision in Maldon — Requesting that the Legislative Assembly urges the Government to halt any further progress of the proposed 125 hectare Tarran Valley Estate Subdivision in Maldon and give the Maldon community an opportunity to provide submissions and for the proposal to be tested against current Mount Alexander Shire and State Government policies, bearing 463 signatures (*Ms Edwards*)

Nursing Homes in Bundoora — Requesting that the Legislative Assembly urges the Government to stop the privatisation or closure of Merv Irvine Nursing Home and Ian Brand Nursing Home Bundoora, bearing 38 signatures (*Mr Brooks*)

Victorian Hospitals — Requesting that the Legislative Assembly urges the Government to stand up to the Prime Minister and fight for Victorian hospitals, bearing 26 signatures (*Mr Perera*)

Cuts to TAFE funding — Requesting that the Legislative Assembly urges the Government to abandon the planned TAFE funding cuts and ensure that no further cuts will be made, bearing 79 signatures (*Mr Perera*)

Lynbrook Estate Bus Services — Requesting that the Legislative Assembly urges the Government to give support to the much needed bus services for the Lynbrook Estate as many students, families and elderly have no direct access into the Lynbrook Estate by the way of a bus, bearing 125 signatures (*Mr Perera*)

Endeavour Hills Route 843 Bus Service — Requesting that the Legislative Assembly urges the Government to invest more and make changes to the bus service on route 843 from Dandenong to Mossgiel Park in Endeavour Hills, bearing 545 signatures (*Mr Donnellan*)

Chestnut Gardens Aged Care Facility — Requesting that the Legislative Assembly urges the Government to stop the privatisation or closure of Chestnut Gardens Aged Care Facility Doveton, bearing 35 signatures (*Mr Donnellan*).

Petitions ordered to be tabled.

11 **PETITION — ANN NICHOL HOUSE** — Motion made and question — That the petition presented by the Member for Bellarine be taken into consideration tomorrow (*Ms Neville*) — put and agreed to.

12 **PETITION — TARRAN VALLEY ESTATE SUBDIVISION IN MALDON** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.

13 **PETITION — ENDEAVOUR HILLS ROUTE 843 BUS SERVICE** — Motion made and question — That the petition presented by the Member for Narre Warren North be taken into consideration tomorrow (*Mr Donnellan*) — put and agreed to.

- 14 **PETITION — CHESTNUT GARDENS AGED CARE FACILITY** — Motion made and question — That the petition presented by the Member for Narre Warren North be taken into consideration tomorrow (*Mr Donnellan*) — put and agreed to.
- 15 **PETITION — VICTORIAN HOSPITALS** — Motion made and question — That the petition presented by the Member for Cranbourne be taken into consideration tomorrow (*Mr Perera*) — put and agreed to.
- 16 **PETITION — CUTS TO TAFE FUNDING** — Motion made and question — That the petition presented by the Member for Cranbourne be taken into consideration tomorrow (*Mr Perera*) — put and agreed to.
- 17 **PETITION — LYNBROOK ESTATE BUS SERVICES** — Motion made and question — That the petition presented by the Member for Cranbourne be taken into consideration tomorrow (*Mr Perera*) — put and agreed to.
- 18 **PETITION — NURSING HOMES IN BUNDOORA** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.

19 **DOCUMENTS**

BUDGET PAPERS 2014–15 —

Budget Paper No 1 — Treasurer's Speech
 Budget Paper No 4 — State Capital Program
 Budget Overview
 Budget Information Paper — Regional and Rural Victoria
 Budget Information Paper — Infrastructure Investment

tabled by leave (*Mr O'Brien*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 5 of 2014 from the Scrutiny of Acts and Regulations Committee on the:

Consumer Affairs Legislation Amendment Bill 2014
 Corrections Amendment (Smoke-Free Prisons) Bill 2014
 Crimes Amendment (Protection of Children) Bill 2014
 Crime Statistics Bill 2014
 Energy Legislation Amendment (Customer Metering Protections and Other Matters) Bill 2014
 Filming Approval Bill 2014
 Gambling and Liquor Legislation Amendment (Modernisation) Bill 2014
 Jury Directions Amendment Bill 2014
 Justice Legislation Amendment Bill 2014
 Local Government Amendment (Governance and Conduct) Bill 2014
 Sentencing Amendment (Baseline Sentences) Bill 2014
 Vexatious Proceedings Bill 2014 (Council initiated)

together with appendices.

Ordered to be tabled and printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Advance TAFE — Report 2013

Anti-Cancer Council of Victoria — Report 2013

Coroners Court of Victoria — Report 2012–13

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Toolangi Forest Reserve

Orders under s 17D granting leases over:

Fawkner Park

Rosebud Park and Recreation Reserve

Financial Management Act 1994:

Budget Paper No 2 — Strategy and Outlook 2014–15

Budget Paper No 3 — Service Delivery 2014–15

Budget Paper No 5 — Statement of Finances 2014–15 incorporating Quarterly Financial Report No 3 for 2013–14

Report from the Minister for Higher Education and Skills that he had not received the Report 2013 of Northern Melbourne Institute of TAFE, together with an explanation for the delay

Independent Broad-based Anti-corruption Commission — Special report following IBAC's first year of being fully operational — Ordered to be printed

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 159/2013 (*Gazette G16, 17 April 2014*), 9 (*Gazette G14, 3 April 2014*)

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Return April 2014 and Summary of Variations notified between 7 March 2014 and 5 May 2014 — Ordered to be printed

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2013–14 Budget Estimates Part Two

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — C23

Alpine Resorts — C22

Bass Coast — C124

Campaspe — C86

East Gippsland — C101

Glen Eira — C116, C119

Glenelg — C73

Golden Plains — C66

Greater Bendigo — C159 Part 2, C197

Greater Geelong — C289, C295

Kingston — C142

Latrobe — C66

Melbourne — C231

Moonee Valley — C117

South Gippsland — C52 Part 1, C71

Stonnington — C168

Surf Coast — C90

Victoria Planning Provisions — VC108, VC111, VC115

Wellington — C55 Part 1, C74

Statutory Rules under the following Acts:

Administration and Probate Act 1958 — SR 10
Adoption Act 1984 — SR 19
Corrections Act 1986 — SRs 12, 20
County Court Act 1958 — SR 14
Drugs, Poisons and Controlled Substances Act 1981 — SR 15
Local Government Act 1989 — SR 17
Magistrates' Court Act 1989 — SRs 11, 18, 24
National Gas (Victoria) Act 2008 — SR 22
Road Safety Act 1986 — SR 23
Sentencing Act 1991 — SR 16
Serious Sex Offenders (Detention and Supervision) Act 2009 — SR 21
Supreme Court Act 1986 — SR 10
Victims of Crime Assistance Act 1996 — SR 13

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 10, 11, 13, 14, 16, 20, 21, 23, 24

Documents under s 16B in relation to:

Gambling Regulation Act 2003 — Ministerial Direction under s 3.8A.2
Racing Act 1958 — Greyhound Racing Victoria — Rule Amendments

Transport Integration Act 2010 — Public Transport Performance Report 1 July to 31 December 2013

Wildlife Act 1975 — Wildlife (Prohibition on Game Hunting) Notice No 1/2014.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Corrections Legislation Amendment Act 2014 — Sections 6, 7, 9, 15, 16, 21, Part 3 and Part 4 (except ss 26 and 35) — 8 April 2014; ss 3, 8, 18, 19, 26 and 35 — 1 May 2014; s 20 — 1 July 2014 (*Gazette S112, 8 April 2014*); remaining provisions — 1 July 2014 (*Gazette S136, 29 April 2014*)
Crimes Amendment (Grooming) Act 2014 — Whole Act — 9 April 2014 (*Gazette S112, 8 April 2014*)
Drugs, Poisons and Controlled Substances (Poppy Cultivation and Processing) Amendment Act 2014 — Whole Act — 16 April 2014 (*Gazette S122, 15 April 2014*)
Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Act 2014 — Part 2 — 16 April 2014 (*Gazette S122, 15 April 2014*)
Health Services Amendment Act 2014 — Whole Act — 15 April 2014 (*Gazette S122, 15 April 2014*)
Justice Legislation Amendment (Discovery, Disclosure and Other Matters) Act 2014 — Part 2 — 12 May 2014 (*Gazette S136, 29 April 2014*)
Small Business Commissioner Amendment Act 2014 — Whole Act — 1 May 2014 (*Gazette S136, 29 April 2014*)
Sentencing Amendment (Abolition of Suspended Sentences and Other Matters) Act 2013 — Part 5 and the remaining provisions of Part 7 (except s 59) — 19 April 2014 (*Gazette S122, 15 April 2014*).

20 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Children, Youth and Families Amendment (Security Measures) Bill 2013
 Fences Amendment Bill 2013.

21 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

On 8 April 2014
 Game Management Authority Bill 2013
 Justice Legislation Amendment (Discovery, Disclosure and Other Matters) Bill 2014
 Mental Health Bill 2014
 Transport (Safety Schemes Compliance and Enforcement) Bill 2014
 Water Amendment (Water Trading) Bill 2014

On 15 April 2014
 Children, Youth and Families Amendment (Security Measures) Bill 2013
 Fences Amendment Bill 2013.

- 22 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Crime Statistics Bill 2014
 Justice Legislation Amendment Bill 2014
 Local Government Amendment (Governance and Conduct) Bill 2014.

- 23 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (2014–2015) Bill 2014, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 2014/2015.

Estimates ordered to be tabled.

- 24 **APPROPRIATION (2014–2015) BILL 2014** — Mr O'Brien obtained leave to bring in a Bill *'for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2014/2015 and for other purposes'*; and the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Mr O'Brien*).

Motion made and question — That the debate be now adjourned (*Mr Pallas*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 8 May 2014.

- 25 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (Parliament 2014–2015) Bill 2014, and accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 2014/2015.

Estimates ordered to be tabled.

- 26 **APPROPRIATION (PARLIAMENT 2014–2015) BILL 2014** — Ms Asher obtained leave to bring in a Bill *'for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2014/2015 and for other purposes'*; and the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Ms Asher tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Ms Asher*).

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 8 May 2014.

- 27 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 8 May 2014:

Corrections Amendment (Further Parole Reform) Bill 2014
 Crimes Amendment (Protection of Children) Bill 2014
 Justice Legislation Amendment Bill 2014
 Victoria Police Amendment (Consequential and Other Matters) Bill 2014

(*Ms Asher*) — put, after debate, and agreed to.

- 28 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 29 **CRIMES AMENDMENT (PROTECTION OF CHILDREN) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Pakula announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 30 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Honorary Justices Bill 2014
 Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014.

- 31 **ENERGY LEGISLATION AMENDMENT (CUSTOMER METERING PROTECTIONS AND OTHER MATTERS) BILL 2014** — The Acting Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Electricity Industry Act 2000**, the **Electricity Safety Act 1998** and the **Gas Industry Act 2001** and for other purposes*'.

On the motion of Mr Northe, the Bill was read a first time and ordered to be read a second time tomorrow.

- 32 **CORRECTIONS AMENDMENT (FURTHER PAROLE REFORM) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 33 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.41 pm.

No 183 — Wednesday 7 May 2014

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Route 451 Bus Services — Requesting that the Legislative Assembly urges the Minister for Transport to intervene and reject the proposal by Public Transport Victoria to discontinue route 451 in Kororoit, bearing 1476 signatures (*Ms Kairouz*)

East West Link Tunnel Election — Requesting that the Legislative Assembly urges the Government to take the \$8 billion East West link tunnel to an election and let the Victorian people decide, bearing 532 signatures (*Mr Wynne*)

East West Link Tunnel — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West link tunnel, bearing 22 signatures (*Mr Wynne*)

Yan Yean Road Upgrade — Requesting that the Legislative Assembly urges the Government to fund the upgrade of Yan Yean Road, bearing 598 signatures (*Ms Green*)

Police Station for Mernda and Doreen — Requesting that the Legislative Assembly urges the Government to fund a new 24 hour police station to cover the policing needs for the growing suburbs of Mernda and Doreen, bearing 2150 signatures (*Ms Green*)

Respite Beds for Whittlesea — Requesting that the Legislative Assembly urges the Government to allocate funding for overnight facility-based respite beds in the City of Whittlesea, bearing 110 signatures (*Ms Green*)

Upgrading O'Herns Road and Hume Freeway — Requesting that the Legislative Assembly urges the Government to fund and commence work on — (a) upgrading Epping Road; and (b) building on-ramps from O'Herns Road to the Hume Freeway as a matter of urgency, bearing 248 signatures (*Ms Green*).

Petitions ordered to be tabled.

3 **PETITION — YAN YEAN ROAD UPGRADE** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

4 **PETITION — POLICE STATION FOR MERNDA AND DOREEN** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

5 **PETITION — RESPITE BEDS FOR WHITTLESEA** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

6 **PETITION — UPGRADING O'HERNS ROAD AND HUME FREEWAY** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

7 **PETITION — ROUTE 451 BUS SERVICES** — Motion made and question — That the petition presented by the Member for Kororoit be taken into consideration tomorrow (*Ms Kairouz*) — put and agreed to.

8 **PETITION — EAST WEST LINK TUNNEL ELECTION** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.

9 **PETITION — EAST WEST LINK TUNNEL** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.

10 **DOCUMENTS**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Morris, Chair, presented a report from the Public Accounts and Estimates Committee on the 2012–13 Financial and Performance Outcomes, together with appendices.

Ordered to be tabled and printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Environment Protection Act 1970 — Order declaring Waste Management Policy (Storage of Waste Tyres) (*Gazette S139, 30 April 2014*)

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 19, 22.

11 **GAMBLING AND LIQUOR LEGISLATION AMENDMENT (MODERNISATION) BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Gambling Regulation Act 2003** and the **Liquor Control Reform Act 1998** and to make consequential amendments to other Acts and for other purposes*'.

On the motion of Mr O'Brien, the Bill was read a first time and ordered to be read a second time tomorrow.

12 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow ministers' second reading speeches, in relation to the bills listed on the notice paper for today or Thursday 8 May 2014, to be incorporated into Hansard (*Ms Asher*) — put and agreed to.

13 **STATEMENTS BY MEMBERS** — Statements by members were made.

14 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — MIDFIELD MEATS MATTER AND PARTY POLITICAL FUNDRAISER** — The House was informed that Mr Pakula had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House calls on the Premier and Minister for Racing to immediately make a full statement to the Parliament outlining:

- (1) The full details behind the Midfield Meats scandal; and
- (2) The appropriateness of a licensed person promoting a party political fundraiser.'

Mr Pakula addressed the House — Discussion followed.

- 15 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Outer Suburban/Interface Services and Development Committee's Report on the Inquiry into Liveability Options in Outer Suburban Melbourne
- Public Accounts and Estimates Committee's Report on the 2012–13 Financial and Performance Outcomes
- Public Accounts and Estimates Committee's Report on the 2013–14 Budget Estimates Part One
- Rural and Regional Committee's Report on the Inquiry into the Capacity of the Farming Sector to Attract and Retain Young Farmers and Respond to an Ageing Workforce
- Outer Suburban/Interface Services and Development Committee's Report on the Inquiry on Growing the Suburbs: Infrastructure and Business Development in Outer Suburban Melbourne
- Family and Community Development Committee's Report on the Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations.
- 16 **WATER AMENDMENT (FLOOD MITIGATION) BILL 2014** — *Mr Walsh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Walsh*).
- In accordance with the resolution of the House the second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 21 May 2014.
- 17 **BUILDING A BETTER VICTORIA (STATE TAX AND OTHER LEGISLATION AMENDMENT) BILL 2014** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr O'Brien*).
- In accordance with the resolution of the House the second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 21 May 2014.
- 18 **TREASURY LEGISLATION AND OTHER ACTS AMENDMENT BILL 2014** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr O'Brien*).
- In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 May 2014.

- 19 **CORRECTIONS AMENDMENT (SMOKE-FREE PRISONS) BILL 2014** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wells*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 May 2014.

- 20 **CHILDREN, YOUTH AND FAMILIES AMENDMENT BILL 2014** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Wooldridge*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 May 2014.

- 21 **ENERGY LEGISLATION AMENDMENT (CUSTOMER METERING PROTECTIONS AND OTHER MATTERS) BILL 2014** — *Mr Northe tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Northe*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 May 2014.

- 22 **JUSTICE LEGISLATION AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Noonan announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under standing orders.

- 23 **QUESTIONS** — (Under SO 55).
- 24 **JUSTICE LEGISLATION AMENDMENT BILL 2014** — Debate continued on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Ms Victoria*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 25 **VICTORIA POLICE AMENDMENT (CONSEQUENTIAL AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Pakula*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 26 **CRIMES AMENDMENT (PROTECTION OF CHILDREN) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Bill read a second time, considered in detail and agreed to without amendment, read a third time (*see pp 852–3*).
- Bill sent to the Legislative Council and their agreement requested.
- 27 **CORRECTIONS AMENDMENT (FURTHER PAROLE REFORM) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 10.00 pm under sessional orders.*
- 28 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.47 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 184 — Thursday 8 May 2014

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Boyne Russell House** — Requesting that the Legislative Assembly calls on the Government to stop the privatisation or closure of Boyne Russell House, bearing 7 signatures (*Ms Garrett*)
- Public Patient Care Services** — Requesting that the Legislative Assembly urges the Government to action the following priority areas within the public hospital patient care services — (a) the quality of patient care services; (b) staff shortages; (c) violence in public hospitals especially Emergency Departments and Acute Psychiatric Units; and (d) recurrent funding and management arrangements for government action on service and system reforms, bearing 304 signatures (*Ms Garrett*)

Roundabout at Telford Street and Woods Road, Yarrowonga — Requesting that the Legislative Assembly urges the Government to put in a roundabout or traffic lights on the corner of Telford Street and Woods Road, Yarrowonga, bearing 1357 signatures (*Mr McCurdy*)

Crossing Upgrade in the City of Casey — Requesting that the Legislative Assembly urges the Government to provide funding to upgrade the crossing adjacent to the Hampton Park Senior Citizens and Bowls Club in the City of Casey, bearing 536 signatures (*Ms Graley*)

Medical Practitioners' Choice to Refer Patients — Requesting that the Legislative Assembly urges the Government to protect the doctors, nurses and allied health professionals in Victoria, who care for mothers and their unborn children because no Victorian health professional should be forced to act against their conscience and refer a patient for an abortion, especially when abortions do not require referral, bearing 2071 signatures (*Ms Campbell*).

Petitions ordered to be tabled.

3 **PETITION — BOYNE RUSSELL HOUSE** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Ms Garrett*) — put and agreed to.

4 **PETITION — PUBLIC PATIENT CARE SERVICES** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Ms Garrett*) — put and agreed to.

5 **PETITION — ROUNDABOUT AT TELFORD STREET AND WOODS ROAD, YARRAWONGA** — Motion made and question — That the petition presented by the Member for Murray Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.

6 **PETITION — MEDICAL PRACTITIONERS' CHOICE TO REFER PATIENTS** — Motion made and question — That the petition presented by the Member for Pascoe Vale be taken into consideration tomorrow (*Ms Campbell*) — put and agreed to.

7 **PETITION — CROSSING UPGRADE IN THE CITY OF CASEY** — Motion made and question — That the petition presented by the Member for Narre Warren South be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.

8 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Gambling Regulation Act 2003 — Amendments and Monitoring Licence as amended under s 3.4.59C

National Environment Protection Council — Report 2012–13

Parliamentary Committees Act 2003:

Government response to the Education and Training Committee's Report on the Inquiry into the Extent, Benefits and Potential of Music Education in Victorian Schools

Government response to the Family and Community Development Committee's Report on the Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 12.

9 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 27 May 2014 (*Ms Asher*) — put and agreed to.

10 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 11 **BUILDING LEGISLATION AMENDMENT BILL 2014** — *Ms Asher tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Asher*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Andrews*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 22 May 2014.

- 12 **FINES REFORM BILL 2014** — *Ms Asher tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Asher*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Andrews*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 22 May 2014.

- 13 **APPROPRIATION (2014–2015) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 14 **QUESTIONS** — (Under SO 55).

- 15 **APPROPRIATION (2014–2015) BILL 2014** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 6 May 2014 had expired.

- 16 **CORRECTIONS AMENDMENT (FURTHER PAROLE REFORM) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

- 17 **JUSTICE LEGISLATION AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **VICTORIA POLICE AMENDMENT (CONSEQUENTIAL AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 4.01 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.34 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 182, 183 and 184

No 183 — Wednesday 7 May 2014

CRIMES AMENDMENT (PROTECTION OF CHILDREN) BILL 2014

The Deputy Speaker advised that if Mr Pakula's amendment No 1 is not agreed to, amendment Nos 2 to 5 inclusive and 7 to 12 inclusive cannot be moved as they are consequential.

Clause 1, Mr Pakula moved amendment No 1 (*see Schedule*).

Motion made, by leave, and question — That consideration of Clauses 1 to 3 be postponed until after consideration of Clause 4 (*Mr Pakula*) — put and agreed to.

Clause 4, Question — That Clause 4 stand part of the Bill — put.

The House divided (the Speaker, Mrs Fyffe in the Chair) —

AYES 43

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Shaw; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question agreed to.

Clauses 1 to 3, By leave, Mr Pakula withdrew amendment No 1.

Clauses agreed to.

Clauses 5 to 9 agreed to.

Bill agreed to without amendment.

SCHEDULE OF AMENDMENT MOVED

CRIMES AMENDMENT (PROTECTION OF CHILDREN) BILL 2014

Amendment moved by Mr Pakula

1. Clause 1, line 3, after "insert" insert "a".

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 185, 186 and 187

No 185 — Tuesday 27 May 2014

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** — (Under SO 55).
- 3 **ROAD SAFETY AMENDMENT BILL 2014** — Mr Mulder obtained leave to bring in a Bill '*for an Act to amend the **Road Safety Act 1986** and the **Rail Management Act 1996**, to make consequential amendments to the **Accident Compensation Act 1985**, the **Transport Accident Act 1986** and the **Workplace Injury Rehabilitation and Compensation Act 2013** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PRIVATE HEALTH CARE FACILITIES BILL 2014** — Ms Wooldridge obtained leave to bring in a Bill '*for an Act to regulate private health care facilities, to repeal Part 4 of the **Health Services Act 1988** and make consequential amendments to that Act and other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **NATIVE VEGETATION CREDIT MARKET BILL 2014** — Mr Smith (*Warrandyte*) obtained leave to bring in a Bill '*for an Act to establish a native vegetation credit market, to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - Sale of Ann Nichol House** — Requesting that the Legislative Assembly urges the Government to intervene in any sale of Ann Nichol House and to immediately sack the CEO and Board of Bellarine Community Health, bearing 273 signatures (*Ms Neville*)
 - Merv Irvine Nursing Home and Ian Brand Nursing Home** — Requesting that the Legislative Assembly urges the Government to stop the privatisation or closure of Merv Irvine Nursing Home and Ian Brand Nursing Home, bearing 10 signatures (*Mr Brooks*)
 - Chandler Highway Bridge** — Requesting that the Legislative Assembly urges the Government to provide funding for, and give a commitment to, the duplication of the Chandler Highway Bridge, bearing 107 signatures (*Mr Carbines*)
 - Cuts to TAFE Funding** — Requesting that the Legislative Assembly urges the Government to abandon the planned TAFE funding cuts and ensure that no further cuts will be made, bearing 21 signatures (*Mr Carbines*)
 - 'VicSmart' Legislation** — Requesting that the Legislative Assembly urges the Government to withdraw the radical reshaping of the Planning Act that will remove community consultation from the development approval process and to rethink, consult with the community and ensure that any proposal protects and improves rather than destroys the neighbourhood, bearing 16 signatures (*Mr Carbines*)
 - East West Link Tunnel Project Contracting** — Requesting that the Legislative Assembly urges the Government to give Victorians the say they deserve and not sign any contracts for the East West Link Tunnel project before the 2014 state election, bearing 448 signatures (*Mr Carbines*)

Traffic Lights at the Corner of Craigieburn and Hanson Roads — Requesting that the Legislative Assembly urges the Government to allocate funding for the purpose of installing traffic lights at the corner of Craigieburn and Hanson Roads, Craigieburn, bearing 1357 signatures (*Ms Beattie*).

Petitions ordered to be tabled.

- 7 **PETITION — SALE OF ANN NICHOL HOUSE** — Motion made and question — That the petition presented by the Member for Bellarine be taken into consideration tomorrow (*Ms Neville*) — put and agreed to.
- 8 **PETITION — CHANDLER HIGHWAY BRIDGE** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.
- 9 **PETITION — CUTS TO TAFE FUNDING** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.
- 10 **PETITION — 'VICSMART' LEGISLATION** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.
- 11 **PETITION — EAST WEST LINK TUNNEL PROJECT CONTRACTING** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.
- 12 **PETITION — TRAFFIC LIGHTS AT THE CORNER OF CRAIGIEBURN AND HANSON ROADS** — Motion made and question — That the petition presented by the Member for Yuroke be taken into consideration tomorrow (*Ms Beattie*) — put and agreed to.
- 13 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Annual Review 2013, together with appendices tabled by leave (*Ms Campbell*).

Ordered to be printed.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 6 of 2014 from the Scrutiny of Acts and Regulations Committee on the:

Appropriation (2014–2015) Bill 2014
 Appropriation (Parliament 2014–2015) Bill 2014
 Building Legislation Amendment Bill 2014
 Building a Better Victoria (State Tax and Other Legislation Amendment) Bill 2014
 Children, Youth and Families Amendment Bill 2014
 Corrections Amendment (Smoke-Free Prisons) Bill 2014 (Assembly initiated)
 Fines Reform Bill 2014
 Gambling and Liquor Legislation Amendment (Modernisation) Bill 2014
 Local Government (Brimbank City Council) Amendment Bill 2014
 Treasury Legislation and Other Acts Amendment Bill 2014
 Water Amendment (Flood Mitigation) Bill 2014

together with appendices.

Ordered to be tabled and printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Queen Victoria Gardens and Memorial Statue Reserve
 Orders under s 17D granting leases over:
 Geelong Botanical Gardens and Public Recreation Reserve
 Mordialloc-Mentone Beach Park Reserve

Drugs, Poisons and Controlled Substances Act 1981 — Report 2013 under s 96

Northern Melbourne Institute of TAFE — Report 2013

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ararat — C29
 Banyule — C80, C102
 Boroondara — C149
 Brimbank — C128
 Campaspe — C50 Part 1
 Frankston — C94
 Golden Plains — C62
 Greater Bendigo — C195
 Greater Dandenong — C138
 Indigo — C53, C64
 Maribyrnong — C122
 Melbourne — C220, C233
 Moreland — C151
 Murrindindi — C51
 Port Phillip — C140
 Stonnington — C200

Statutory Rules under the following Acts:

Corrections Act 1986 — SR 25
Financial Management Act 1994 — SR 29
Magistrates' Court Act 1989 — SR 28
Prisoners (Interstate Transfer) Act 1983 — SR 26
Rail Safety Act 2006 — SR 30
Rail Safety National Law Application Act 2013 — SR 31
Road Safety Act 1986 — SR 27
Transport (Compliance and Miscellaneous) Act 1983 — SRs 33, 34
Transport (Safety Schemes Compliance and Enforcement) Act 2014 — SR 32
Victorian Civil and Administrative Tribunal Act 1998 — SR 35

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 15, 17, 18, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35
 Documents under s 16B in relation to:
Education and Training Reform Act 2006:
 Ministerial Direction MD141
 Ministerial Direction to Governing Boards of Adult Education Institutions on Executive Remuneration and Classification
 Ministerial Order 749

Racing Act 1958 — Harness Racing Victoria — Notice of amendments to Australian Rules of Harness Racing.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Drugs, Poisons and Controlled Substances Amendment Act 2014 — Whole Act — 21 May 2014 (*Gazette S155, 20 May 2014*)

Emergency Management Act 2013 — Whole Act — 1 July 2014 (*Gazette S148, 13 May 2014*)

Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Act 2014 — Remaining provisions (except s 16) — 14 May 2014 (*Gazette S148, 13 May 2014*)

Rail Safety National Law Application Act 2013 — Remaining provisions — 19 May 2014 (*Gazette S148, 13 May 2014*)

Summary Offences and Sentencing Amendment Act 2014 — Part 1 and Part 2 (except ss 5 and 6) — 28 May 2014 (*Gazette S155, 20 May 2014*)

Transport Legislation Amendment (Rail Safety Local Operations and Other Matters) Act 2013 — Remaining provisions — 19 May 2014 (*Gazette S148, 13 May 2014*)

Transport (Safety Schemes Compliance and Enforcement) Act 2014 — Part 1 and ss 157 and 158 — 18 May 2014; remaining provisions — 19 May 2014 (*Gazette S148, 13 May 2014*).

- 14 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Sale of Land Amendment Bill 2014
State Taxation Legislation Amendment Bill 2014.

- 15 **FILMING APPROVAL BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to establish film friendly principles for the approval of film permits by public agencies, to provide for the making of film friendly guidelines and to make consequential amendments to other Acts and for other purposes*'.

On the motion of Ms Asher, the Bill was read a first time and ordered to be read a second time tomorrow.

- 16 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 13 May 2014, given the royal assent to the following bills, presented to him by the Deputy Clerk of the Legislative Council for and in the absence of the Clerk of the Parliaments:

Corrections Amendment (Further Parole Reform) Bill 2014
Honorary Justices Bill 2014
Sale of Land Amendment Bill 2014
State Taxation Legislation Amendment Bill 2014
Transport Legislation Amendment (Further Taxi Reform and Other Matters) Bill 2014.

- 17 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Building a Better Victoria (State Tax and Other Legislation Amendment) Bill 2014
Building Legislation Amendment Bill 2014
Children, Youth and Families Amendment Bill 2014
Corrections Amendment (Smoke-Free Prisons) Bill 2014
Fines Reform Bill 2014
Treasury Legislation and Other Acts Amendment Bill 2014
Water Amendment (Flood Mitigation) Bill 2014.

- 18 **RESIGNATION OF MEMBER OF THE LEGISLATIVE COUNCIL** — The Speaker announced that she had received the following letter from the Governor:

9 May 2014

The Hon Christine Fyffe MP
Speaker
Legislative Assembly
Parliament House
Melbourne Vic 3002

Dear Speaker

I write to advise that the Hon Candy Broad MLC called on me today and handed me her letter of resignation as member of the Legislative Council for Northern Victoria, effective from today. It seems that section 27A of the *Constitution Act 1975* requires a joint sitting of the Council and Assembly to fill this vacancy.

I have advised the Premier, the President and the Leader of the Opposition in like terms.

I enclose a copy of Ms Broad's letter for your records.

Yours sincerely

Alex Chernov
Governor.

- 19 **VICTORIAN RESPONSIBLE GAMBLING FOUNDATION** — The Speaker announced that she had received the following letter:

20 May 2014

Hon. Christine Fyffe MP
Speaker of the Legislative Assembly
Parliament of Victoria
Parliament House
MELBOURNE VIC 3000

Dear Speaker

Elected member of the Board of the Victorian Responsible Gambling Foundation (Foundation)

The *Victorian Responsible Gambling Foundation Act 2011* provides for three members of the Board of the Foundation to be elected jointly by the Legislative Assembly and Legislative Council from members of those Houses.

On 28 March 2012, a joint sitting of the Legislative Assembly and Legislative Council elected Mr Tim McCurdy, Mr David Southwick and Mr Ian Trezise to the Board of the Foundation.

Mr Trezise recently tendered his resignation from the Board of the Foundation which was accepted by the Governor in Council on 20 May 2014.

I would be grateful if arrangements could be made for a Joint Sitting to occur, at the earliest time that is convenient for both Chambers, to elect a parliamentary member to the Board of the Foundation to fill the vacancy created by the resignation of Mr Trezise. I am writing similarly to the President of the Legislative Council and will send a copy of this letter to the Clerks of each House.

Yours sincerely

Edward O'Donohue MLC.

20 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow ministers' second reading speeches, in relation to the bills listed on the notice paper for Wednesday 28 or Thursday 29 May 2014, to be incorporated into Hansard (*Ms Asher*) — put and agreed to.

21 **STATEMENTS BY MEMBERS** — Statements by members were made.

22 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow the minister's second reading speech, in relation to the bill listed on the notice paper for today, to be incorporated into Hansard (*Ms Asher*) — put and agreed to.

23 **GAMBLING AND LIQUOR LEGISLATION AMENDMENT (MODERNISATION) BILL 2014** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr O'Brien*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Motion made and question proposed — That the debate be adjourned for two weeks (*Mr O'Brien*).

Amendment proposed — That the word 'two' be omitted with the view of inserting in its place the word 'four' (*Ms Allan*) — put, after debate, and agreed to.

Ordered — That the debate be adjourned until Tuesday 24 June 2014.

24 **APPROPRIATION (2014–2015) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

25 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.47 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 186 — Wednesday 28 May 2014

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Route 451 Bus Services — Requesting that the Legislative Assembly urges the Minister for Transport to intervene and reject the proposal by Public Transport Victoria to discontinue bus route 451 in Kororoit, bearing 165 signatures (*Ms Kairouz*)

Portland North School House — Requesting that the Legislative Assembly urges the Government to retain and fully restore the historic Portland North School House with adequate funding, bearing 360 signatures (*Mr Delahunty*)

Traffic Signal for Boundary Road — Requesting that the Legislative Assembly urges the Government to build a pedestrian operated traffic signal near 91–101 Boundary Road, North Melbourne, bearing 646 signatures (*Ms Kanis*).

Petitions ordered to be tabled.

3 **PETITION — ROUTE 451 BUS SERVICES** — Motion made and question — That the petition presented by the Member for Kororoit be taken into consideration tomorrow (*Ms Kairouz*) — put and agreed to.

4 **PETITION — TRAFFIC SIGNAL FOR BOUNDARY ROAD** — Motion made and question — That the petition presented by the Member for Melbourne be taken into consideration tomorrow (*Ms Kanis*) — put and agreed to.

5 DOCUMENTS

ROAD SAFETY COMMITTEE — Mr Thompson (*Sandringham*), Chair, presented a report from the Road Safety Committee on the Inquiry into the nature and extent of serious injury in motor vehicle accidents in Victoria, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices printed.

DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT — The Clerk tabled the following documents in accordance with an Act of Parliament:

Auditor-General:

Shared Services in Local Government — Ordered to be printed
Universities: Results of the 2013 Audits — Ordered to be printed.

6 **CONSUMER AFFAIRS LEGISLATION AMENDMENT BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the Associations Incorporation Reform Act 2012, the Australian Consumer Law and Fair Trading Act 2012, the Domestic Building Contracts Act 1995, the Estate Agents Act 1980, the Fire Services Levy Monitor Act 2012, the Funerals Act 2006, the Motor Car Traders Act 1986, the Retirement Villages Act 1986 and the Sex Work Act 1994 and for other purposes*'.

On the motion of Ms Victoria, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **LOCAL GOVERNMENT (BRIMBANK CITY COUNCIL) AMENDMENT BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the Local Government (Brimbank City Council) Act 2009 in respect of the holding of the next general election of Councillors for the Brimbank City Council and for other purposes*'.

On the motion of Mr Bull, the Bill was read a first time and ordered to be read a second time tomorrow.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

10 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Road Safety Committee's Report on the Inquiry into the nature and extent of serious injury in motor vehicle accidents in Victoria

Public Accounts and Estimates Committee's Report on the 2012–13 Financial and Performance Outcomes

Rural and Regional Committee's Report on the Inquiry into the Capacity of the Farming Sector to Attract and Retain Young Farmers and Respond to an Ageing Workforce

Education and Training Committee's Report on the Inquiry into the Extent, Benefits and Potential of Music Education in Victorian Schools

Public Accounts and Estimates Committee's Report on the 2013–14 Budget Estimates Part One.

11 **FILMING APPROVAL BILL 2014** — *Ms Asher tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Asher*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Neville*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 11 June 2014.

12 **ROAD SAFETY AMENDMENT BILL 2014** — *Mr Mulder tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Mulder*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Neville*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 11 June 2014.

13 **PRIVATE HEALTH CARE FACILITIES BILL 2014** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Wooldridge*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Neville*) — put and agreed to.

Motion made and question proposed — That the debate be adjourned for two weeks (*Ms Wooldridge*).

Amendment proposed — That the word 'two' be omitted with the view of inserting in its place the word 'four' (*Ms Neville*) — and, after debate —

Question — That the word proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

The Speaker announced that, in order to enable the question to be considered in its original form, she casts her vote with the 'ayes'.

Question agreed to.

Original question — put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

The Speaker announced that, as the House has agreed that debate be adjourned, to provide certainty as to when the House may consider the bill further, she casts her vote with the 'ayes'.

Question agreed to.

Ordered — That the debate be adjourned until Wednesday 11 June 2014.

Business having been interrupted at 2.00 pm under standing orders.

14 **QUESTIONS** — (Under SO 55).

15 **NATIVE VEGETATION CREDIT MARKET BILL 2014** — *Mr Smith (Warrandyte) tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Smith, Warrandyte*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pallas*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 11 June 2014.

16 **APPROPRIATION (PARLIAMENT 2014–2015) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Barker*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

17 **BUILDING A BETTER VICTORIA (STATE TAX AND OTHER LEGISLATION AMENDMENT) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Ms Asher announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Kanis*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

18 **APPROPRIATION (2014–2015) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

19 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.44 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 187 — Thursday 29 May 2014

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Phillip Island Shire — Requesting that the Legislative Assembly urges the Government to commence the process for Phillip Island to separate from the Bass Coast Shire and for Phillip Island to establish its own municipality, bearing 8389 signatures (*Mr Smith, Bass*)

66kV Facility at Brunswick Terminal Station — Requesting that the Legislative Assembly urges the Government to convene an independent review of the proposed development of a new 66kV facility at Brunswick Terminal Station, bearing 165 signatures (*Ms Garrett*)

Monash Medical Centre Helicopter Landings — Requesting that the Legislative Assembly urges the Government to — (a) fund and instruct Southern Health, Monash Health and Air Ambulance Victoria to build a temporary helipad in the hospital grounds or a location away from residents; and (b) compensate residents for destruction to their properties should helicopters land at Fregon Reserve, bearing 905 signatures (*Mr Lim*)

Route 451 Bus Services — Requesting that the Legislative Assembly urges the Minister for Transport to intervene and reject the proposal by Public Transport Victoria to discontinue bus route 451 in Kororoit, bearing 360 signatures (*Ms Kairouz*)

Abortion Law Reform Act 2008 — Requesting that the Legislative Assembly urges the Government to amend s 8 of the *Abortion Law Reform Act 2008*, as soon as possible, to remove any requirement that conscientious objectors to abortion must provide a referral, bearing 49 signatures (*Ms Campbell*).

Petitions ordered to be tabled.

3 **PETITION — PHILLIP ISLAND SHIRE** — Motion made and question — That the petition presented by the Member for Bass be taken into consideration tomorrow (*Mr Smith, Bass*) — put and agreed to.

4 **PETITION — 66KV FACILITY AT BRUNSWICK TERMINAL STATION** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Ms Garrett*) — put and agreed to.

5 **PETITION — MONASH MEDICAL CENTRE HELICOPTER LANDINGS** — Motion made and question — That the petition presented by the Member for Clayton be taken into consideration tomorrow (*Mr Lim*) — put and agreed to.

6 **PETITION — ROUTE 451 BUS SERVICES** — Motion made and question — That the petition presented by the Member for Kororoit be taken into consideration tomorrow (*Ms Kairouz*) — put and agreed to.

7 **PETITION — ABORTION LAW REFORM ACT 2008** — Motion made and question — That the petition presented by the Member for Pascoe Vale be taken into consideration tomorrow (*Ms Campbell*) — put and agreed to.

8 **DOCUMENTS**

PRIVILEGES COMMITTEE — Mr Walsh, Chair, presented a report from the Privileges Committee on the Inquiry in relation to recommendation 2 of the Ombudsman's report *Whistleblowers Protection*

Act 2001: Investigation into allegations against Mr Geoff Shaw MP, together with an extract from the proceedings, appendices and a minority report.

Ordered to be tabled and printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Access to Services for Migrants, Refugees and Asylum Seekers — Ordered to be printed
 Accessibility of Mainstream Services for Aboriginal Victorians — Ordered to be printed

Professional Standards Act 2003:

Law Society of Western Australia Scheme under s 14 (*Gazette S134, 24 April 2014*)
 Victorian Bar Professional Standards Scheme under s 14 (*Gazette S134, 24 April 2014*)
 Western Australia Bar Association Scheme under s 14 (*Gazette S134, 24 April 2014*)

Statutory Rules under the following Acts:

Building Act 1993 — SR 37
Electricity Safety Act 1998 — SR 36
Subordinate Legislation Act 1994 — SR 38
Survey Co-ordination Act 1958 — SR 39

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 36, 37, 38.

9 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow the Member for Carrum's speech to be incorporated into Hansard during the debate on the Appropriation (2014–2015) Bill 2014 today (*Ms Asher*) — put, after debate, and agreed to.

10 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 10 June 2014 (*Ms Asher*) — put and agreed to.

11 **STATEMENTS BY MEMBERS** — Statements by members were made.

12 **CONSUMER AFFAIRS LEGISLATION AMENDMENT BILL 2014** — *Ms Victoria tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Victoria*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 12 June 2014.

13 **LOCAL GOVERNMENT (BRIMBANK CITY COUNCIL) AMENDMENT BILL 2014** — *Mr Bull tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Bull*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 12 June 2014.

- 14 **APPROPRIATION (2014–2015) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 15 **QUESTIONS** — (Under SO 55).

- 16 **APPROPRIATION (2014–2015) BILL 2014** — Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 4.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.43 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 188, 189 and 190

No 188 — Tuesday 10 June 2014

1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.

2 **QUESTIONS** — (Under SO 55).

3 **FREEDOM OF INFORMATION AND VICTORIAN INSPECTORATE ACTS AMENDMENT BILL 2014** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the **Freedom of Information Act 1982** and the **Victorian Inspectorate Act 2011** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

4 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 7 of 2014 from the Scrutiny of Acts and Regulations Committee on the:

Building Legislation Amendment Bill 2014
Native Vegetation Credit Market Bill 2014
Private Health Care Facilities Bill 2014
Road Safety Amendment Bill 2014

together with appendices.

Ordered to be tabled and printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Charter of Human Rights and Responsibilities Act 2006 — Report 2013 on the operation of the Act — Ordered to be printed

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to the Waste Management Policy (Storage of Waste Tyres) (*Gazette G23, 5 June 2014*)

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Banyule — GC6
Boroondara — GC6
Brimbank — GC1, GC6
Cardinia — C171, GC6
Casey — GC6
Darebin — GC6
Gannawarra — C38
Glen Eira — GC6
Glenelg — C55 Part 1, C69
Golden Plains — C69
Greater Dandenong — GC6
Greater Geelong — C291, C293

Greater Shepparton — C140
 Hume — GC6
 Kingston — C133, GC6
 Knox — GC6
 Manningham — GC6
 Maribyrnong — GC6
 Melbourne — GC6
 Melton — GC1, GC6
 Mitchell — C96
 Monash — GC6
 Moonee Valley — C136
 Moreland — C155, GC6
 Mornington Peninsula — GC6
 Port Phillip — C141
 South Gippsland — C80
 Southern Grampians — C29
 Surf Coast — C80, C88
 Victoria Planning Provisions — VC106
 Whitehorse — GC6
 Whittlesea — GC6
 Wyndham — GC1, GC6
 Yarra — GC6

Statutory Rules under the following Acts:

Child Employment Act 2003 — SR 43
Conservation, Forests and Lands Act 1987 — SR 40
Corporations (Ancillary Provisions) Act 2001 — SR 48
Crimes Act 1958 — SR 42
Road Safety Act 1986 — SR 46
Subordinate Legislation Act 1994 — SR 45
Supreme Court Act 1986 — SRs 47, 48
Transfer of Land Act 1958 — SR 44
Workplace Injury Rehabilitation and Compensation Act 2013 — SR 41

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 39, 40, 41, 43, 44, 46
 Documents under s 16B in relation to the *Road Safety Act 1986* — Declaration of a class of motor vehicles to be tractors.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Sustainable Forests (Timber) and Wildlife Amendment Act 2014 — Remaining provisions — 28 May 2014 (*Gazette S159, 27 May 2014*)
Travel Agents Repeal Act 2014 — Whole Act — 1 July 2014 (*Gazette S170, 3 June 2014*)
Victorian Civil and Administrative Tribunal Amendment Act 2014 — Whole Act — 2 June 2014 (*Gazette S159, 27 May 2014*).

5 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Crimes Amendment (Protection of Children) Bill 2014
 Victoria Police Amendment (Consequential and Other Matters) Bill 2014.

- 6 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL AND VICTORIAN RESPONSIBLE GAMBLING FOUNDATION BOARD VACANCIES** — The Speaker announced the receipt of a message from the Legislative Council proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Hon Candy Broad, and to elect a member of Parliament to the Board of the Victorian Responsible Gambling Foundation, and that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday 11 June 2014 at 6.15 pm.

Ordered — That the message be taken into consideration immediately.

Motion made and question — That this House agrees to the Legislative Council's proposal for a joint sitting on Wednesday 11 June 2014 at 6.15 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Hon Candy Broad and to elect a member of Parliament to the Board of the Victorian Responsible Gambling Foundation (*Ms Asher*) — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 7 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 3 June 2014, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Crimes Amendment (Protection of Children) Bill 2014
Victoria Police Amendment (Consequential and Other Matters) Bill 2014.

- 8 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Native Vegetation Credit Market Bill 2014
Private Health Care Facilities Bill 2014
Road Safety Amendment Bill 2014.

- 9 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow ministers' second reading speeches, in relation to the bills listed on the notice paper for this sitting week, to be incorporated into Hansard (*Ms Asher*) — put and agreed to.

- 10 **BUDGET PAPERS** — Motion made, by leave, and question — That this House takes note of the 2014–15 budget papers (*Ms Asher*) — put, after debate, and agreed to.

- 11 **ORDER OF THE DAY DISCHARGED** — Motion made, by leave, and question — That the following Order of the Day, Government Business, be read and discharged:

BUDGET PAPERS — That this House takes note of the 2013–14 budget papers — Resumption of debate

(*Ms Asher*) — put and agreed to.

- 12 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow each member to speak on the motion in relation to the 2014–15 budget papers for a maximum of 15 minutes (*Ms Asher*) — put, after debate, and agreed to.

- 13 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 14 **BUDGET PAPERS** — By leave, the Speaker resubmitted the question — That this house takes note of the 2014–15 budget papers.
- Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 15 **APPROPRIATION (2014–2015) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the question be now put (*Ms Duncan*) — put and agreed to.
- Bill read a second time and, by leave, immediately read a third time.
- Bill sent to the Legislative Council and their agreement requested.
- 16 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 to 4 inclusive, be postponed until later this day.
- 17 **BUILDING A BETTER VICTORIA (STATE TAX AND OTHER LEGISLATION AMENDMENT) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.
- Motion made and question — That the question be now put (*Ms Allan*) — put and agreed to.
- Bill read a second time, considered in detail and agreed to with amendments, read a third time (*see pp 879–80*).
- Bill sent to the Legislative Council and their agreement requested.
- 18 **APPROPRIATION (PARLIAMENT 2014–2015) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Bill read a second time and, by leave, immediately read a third time.
- Bill sent to the Legislative Council and their agreement requested.
- 19 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2014–15 budget papers — put, after debate, and agreed to.
- 20 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:
- Appropriation (2014–2015) Bill 2014
 Appropriation (Parliament 2014–2015) Bill 2014
 Building a Better Victoria (State Tax and Other Legislation Amendment) Bill 2014
 Justice Legislation Amendment Bill 2014.
- 21 **TREASURY LEGISLATION AND OTHER ACTS AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.46 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 189 — Wednesday 11 June 2014

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PRIVACY AND DATA PROTECTION BILL 2014** — Mr Clark obtained leave to bring in a Bill *'for an Act to provide for responsible collection and handling of personal information in the Victorian public sector, to establish a protective data security regime, to repeal the **Information Privacy Act 2000** and the **Commissioner for Law Enforcement Data Security Act 2005**, to make consequential amendments to other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- East West Link Tunnel Election** — Requesting that the Legislative Assembly urges the Government to take the \$8 billion East West link tunnel to an election and let the Victorian people decide, bearing 430 signatures (*Mr Wynne*)
- East West Link Tunnel** — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West link tunnel, bearing 28 signatures (*Mr Wynne*).
- Petitions ordered to be tabled.
- 4 **PETITION — EAST WEST LINK TUNNEL ELECTION** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 5 **PETITION — EAST WEST LINK TUNNEL** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 6 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following documents in accordance with an Act of Parliament:
- Auditor-General:
- Prisoner Transportation — Ordered to be printed
Using ICT to Improve Traffic Management — Ordered to be printed.
- 7 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 8 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — BENEFITS OF THE BUDGET** — The House was informed that Mr Ryan had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes the many beneficial aspects of the Liberal–Nationals Coalition Government's budget including substantial increases in funding for essential services such as police, education and health, a record program for infrastructure developments thereby creating thousands of jobs and an array of initiatives for regional and rural Victoria and contrasts these fully costed and funded programs with the vague, misleading and populist agenda of the Labor Opposition as encapsulated in the 2014 Labor policy platform.'

Mr Ryan addressed the House — Discussion followed.

- 9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Road Safety Committee's Report on the Inquiry into the nature and extent of serious injury in motor vehicle accidents in Victoria

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry on Growing the Suburbs: Infrastructure and Business Development in Outer Suburban Melbourne

Rural and Regional Committee's Report on the Inquiry into the Opportunities for People to use Telecommuting and E-Business to Work Remotely in Rural and Regional Victoria

Public Accounts and Estimates Committee's Report on the 2013–14 Budget Estimates Part Two

Education and Training Committee's Report on the Inquiry into the Education of Gifted and Talented Students.

- 10 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow Government Business, Order of the Day, No 1 to be considered before Government Business, Notice of Motion, No 1 as listed on today's Notice Paper (*Ms Asher*) — put, after debate, and agreed to.

- 11 **FREEDOM OF INFORMATION AND VICTORIAN INSPECTORATE ACTS AMENDMENT BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 25 June 2014.

Business having been interrupted at 2.00 pm under standing orders.

- 12 **QUESTIONS** — (Under SO 55).

- 13 **MOTION IN RESPONSE TO PRIVILEGES COMMITTEE REPORTS** — Motion made and question — That this House:

- (1) notes the Special Reports of the Legislative Assembly Privileges Committee *Investigation into the Improper Disclosure of a Committee Document*, February 2014 and *Investigation into the Improper Disclosure of Committee Deliberations*, March 2014;

- (2) notes the report of the Legislative Assembly Privileges Committee *Inquiry in relation to recommendation 2 of the Ombudsman's report Whistleblowers Protection Act 2001: Investigation into allegations against Mr Geoff Shaw MP*, May 2014;
- (3) orders the Member for Frankston to repay \$5,220.75 for the improper use of his parliamentary vehicle and fuel card to the Clerk of the Legislative Assembly by 1.00 pm on 2 September 2014;
- (4) orders the Member for Frankston to pay an additional \$1,617.69 for misuse of his parliamentary entitlements to the Clerk of the Legislative Assembly by 1.00 pm on 2 September 2014;
- (5) instructs the Member for Frankston to apologise to the House and to the people of Victoria for his breach of the Code of Conduct for Members as set out in s 3 of the *Members of Parliament (Register of Interests) Act 1978*;
- (6) requires the Speaker to name the Member for Frankston for not complying with the Code of Conduct;
- (7) resolves that the Member for Frankston not be permitted any interstate or overseas travel funded by his electorate budget while he is suspended;
- (8) further notes that if the Member for Frankston does not comply fully with paragraphs 3 and 4 of this motion by 1.00 pm on 2 September 2014 and that if the Member for Frankston does not apologise appropriately to the House for that failure on 2 September 2014, he will be in contempt of the Legislative Assembly and the Legislative Assembly will move to expel him;
- (9) refers to Victoria Police the Privileges Committee reports set out in paragraph 1 of this motion for investigation;
- (10) requests the Speaker to write to the Premier asking that the Government considers the legislative changes outlined in Recommendation 2 of the Privileges Committee Report of May 2014; and
- (11) refers Recommendation 3 of the Privileges Committee report of May 2014 to the Standing Orders Committee of the Legislative Assembly (*Dr Naphthine*) — and, after debate —

Amendment proposed — That all the words after 'That' be omitted with a view to inserting in their place the words 'this House finds that Mr Shaw is guilty of contempt of the Parliament, and that he be therefore immediately expelled from this House' (*Mr Andrews*) — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

The Speaker announced that, in order to allow the House to consider the motion in its original form, she casts her vote with the ayes.

Question agreed to.

Original question — put and agreed to.

Member named and suspended — The Member for Frankston (*Mr Shaw*) having been named by the Speaker under SO 125 in accordance with the resolution of the House —

Motion made and question — That the Member for Frankston (*Mr Shaw*) be suspended from the service of the House for 11 sitting days (*Ms Asher*) — put and agreed to.

- 14 **JOINT SITTING — LEGISLATIVE COUNCIL AND VICTORIAN RESPONSIBLE GAMBLING FOUNDATION BOARD VACANCIES** — The Speaker reported that the House met today with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of Hon Candy Broad, and that Margaret Lewis was duly chosen, and to elect a member of Parliament to the Board of the Victorian Responsible Gambling Foundation, and that Ms Maree Edwards MP was elected.

- 15 **TREASURY LEGISLATION AND OTHER ACTS AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 16 **FINES REFORM BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 17 **CRIME STATISTICS BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.50 pm.

No 190 — Thursday 12 June 2014

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Daylesford Secondary College — Requesting that the Legislative Assembly urges the Government to fund the upgrade of the Daylesford Secondary College, bearing 595 signatures (*Mr Howard*)

Mount Alexander Shire Council Kindergarten — Requesting that the Legislative Assembly urges the Government to immediately call on the Mount Alexander Shire Council to postpone any further advancement of the current proposal regarding the inappropriate placement of a new learning centre for the Council's kindergarten, until further investigation has been conducted into the alternative adjacent site, bearing 438 signatures (*Ms Edwards*)

Multi-disciplinary Assessments at Sunshine Hospital — Requesting that the Legislative Assembly urges the Government to restore multi-disciplinary assessments at Sunshine Hospital for children beginning school in 2014, bearing 16 signatures (*Ms Hutchins*)

Melton Highway Level Crossing — Requesting that the Legislative Assembly urges the Government to fix the Melton Highway level crossing, bearing 339 signatures (*Ms Hutchins*).

Petitions ordered to be tabled.

3 **PETITION — DAYLESFORD SECONDARY COLLEGE** — Motion made and question — That the petition presented by the Member for Ballarat East be taken into consideration tomorrow (*Mr Howard*) — put and agreed to.

4 **PETITION — MOUNT ALEXANDER SHIRE COUNCIL KINDERGARTEN** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.

5 **PETITION — MULTI-DISCIPLINARY ASSESSMENTS AT SUNSHINE HOSPITAL** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

6 **PETITION — MELTON HIGHWAY LEVEL CROSSING** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

7 **DOCUMENTS**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Morris, Chair, presented a report from the Public Accounts and Estimates Committee on the 2014–15 Budget Estimates Part One, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Managing Consultants and Contractors — Ordered to be printed

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 37 (*Gazette G23, 5 June 2014*)

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 45, 47, 48

Victorian Environmental Assessment Council Act 2001 — Report on the Marine Investigation.

8 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 24 June 2014 (*Ms Asher*) — put and agreed to.

9 **STATEMENTS BY MEMBERS** — Statements by members were made.

10 **PRIVACY AND DATA PROTECTION BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 26 June 2014.

11 **CRIME STATISTICS BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

12 **QUESTIONS** — (Under SO 55).

13 **CRIME STATISTICS BILL 2014** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 4.00 pm under sessional orders.

14 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.42 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 188, 189 and 190

No 188 — Tuesday 10 June 2014

**BUILDING A BETTER VICTORIA (STATE TAX AND OTHER LEGISLATION AMENDMENT) BILL
2014**

Clauses 1 to 34 agreed to.

Clause 35, *The Deputy Speaker advised that if amendment No 1 is not agreed to, the remaining amendments cannot be moved as they are consequential.*

Mr O'Brien moved amendment No 1 (*see Schedule*).

Amendment put and agreed to.

Mr O'Brien moved amendment Nos 2 to 12 (*see Schedule*).

Amendments put and agreed to.

Clause agreed to as amended.

Clauses 36 to 40 agreed to.

Bill agreed to as amended.

SCHEDULE OF AMENDMENTS MOVED

BUILDING A BETTER VICTORIA (STATE TAX AND OTHER LEGISLATION AMENDMENT) BILL 2014

Amendments moved by Mr O'Brien

1. Clause 35, line 29, before "*A leviable*" insert "(1)".
2. Clause 35, line 34, omit "\$1 million" and insert "the threshold amount".
3. Clause 35, page 27, after line 3 insert—
 - "(2) The *threshold amount* is—
 - (a) in the financial year beginning on 1 July 2015, \$1 million; and
 - (b) in the financial year beginning on 1 July 2016 and each subsequent financial year, the CPI adjusted amount calculated in accordance with section 96R."
4. Clause 35, page 27, lines 5 to 16, omit all words and expressions on these lines and insert—
 - "(1) The amount of the levy is \$1.30 for every \$1000 of the estimated cost of the development for which the permit is required."
5. Clause 35, page 27, line 28, omit "L" and insert "T".
6. Clause 35, page 27, lines 31 and 32, omit "rounded up to the nearest 2 decimal places".
7. Clause 35, page 28, line 1, omit "L" and insert "T".
8. Clause 35, page 28, line 3, omit "\$1.30" and insert "\$1 million".
9. Clause 35, page 28, lines 28 to 31, omit all words and expressions on these lines and insert—
 - "(2) On or before 31 May each year, the Commissioner must—
 - (a) notify each responsible authority and planning authority in metropolitan Melbourne of the CPI adjusted amount for the following financial year; and
 - (b) publish the CPI adjusted amount for the following financial year on an appropriate website."
10. Clause 35, page 28, line 34, omit "96Q" and insert "96P".
11. Clause 35, page 31, after line 23 insert—
 - "(c) if, at the time the permit application is made, the threshold amount has increased from the threshold amount at the time the levy was paid; or"
12. Clause 35, page 31, line 24, omit "(c)" and insert "(d)".

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 191, 192 and 193

No 191 — Tuesday 24 June 2014

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** — (Under SO 55).
- 3 **WATER BILL 2014** — Mr Walsh obtained leave to bring in a Bill '*for an Act to re-enact, with amendments, the law relating to water in Victoria, to repeal the **Water Act 1989** and the **Water Industry Act 1994**, to consequentially amend other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **COURTS LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2014** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the **Supreme Court Act 1986**, the **County Court Act 1958**, the **Magistrates' Court Act 1989**, the **Coroners Act 2008**, the **Children, Youth and Families Act 2005**, the **Victorian Civil and Administrative Tribunal Act 1998**, the **Victims of Crime Assistance Act 1996**, the **Court Security Act 1980** and the **Interpretation of Legislation Act 1984**, to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **CRIMINAL ORGANISATIONS CONTROL AND OTHER ACTS AMENDMENT BILL 2014** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the **Confiscation Act 1997**, the **Criminal Organisations Control Act 2012**, the **Criminal Procedure Act 2009**, the **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997**, the **Major Crime (Investigative Powers) Act 2004** and the **Sentencing Act 1991**, to make consequential and miscellaneous amendments to other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **JUDICIAL ENTITLEMENTS BILL 2014** — Mr Clark obtained leave to bring in a Bill '*for an Act to modernise the processes and structures for determining salaries, allowances and conditions of service for judicial officers, to repeal the **Judicial Salaries Act 2004** and the **Judicial Remuneration Tribunal Act 1995**, to make consequential and miscellaneous amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **POWERS OF ATTORNEY BILL 2014** — Mr Clark obtained leave to bring in a Bill '*for an Act to consolidate certain aspects of the law as to powers of attorney and to otherwise provide for powers of attorney, to provide for matters to do with supportive attorneys, to repeal Parts XI and XIA of the **Instruments Act 1958** and Division 5A of Part 4 of the **Guardianship and Administration Act 1986**, to make related amendments to those and other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **JUSTICE LEGISLATION AMENDMENT (FIREARMS AND OTHER MATTERS) BILL 2014** — Mr Wells obtained leave to bring in a Bill '*for an Act to amend the **Firearms Act 1996**, the **Control of Weapons Act 1990**, the **Sex Offenders Registration Act 2004** and the **Drugs, Poisons and Controlled Substances Act 1981** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

9 **DISABILITY AMENDMENT BILL 2014** — Ms Wooldridge obtained leave to bring in a Bill *for an Act to amend the Disability Act 2006 to enable residents detained in a residential treatment facility to be subject to electronic monitoring at certain times and in certain circumstances, to amend the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 and the Surveillance Devices Act 1999 and for other purposes*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

10 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Cardinia Shire Council — Requesting that the Legislative Assembly urges the Government to intervene in the Cardinia Shire Council to sack the current Council and management and put in place administrators, bearing 371 signatures (*Mr Battin*)

Woodlands Park Village, Berwick — Requesting that the Legislative Assembly urges the Government to support the allocated funds that will enable VicRoads to install noise reduction barriers on the north side of the freeway between Clyde Road and Soldiers Road, Berwick, adjacent to Woodlands Park Village and for a distance of approximately 600 metres, bearing 293 signatures (*Mr Battin*)

Medical Practitioners' Choice to Refer Patients — Requesting that the Legislative Assembly urges the Government to protect the doctors, nurses and allied health professionals in Victoria, who care for mothers and their unborn children because no Victorian health professional should be forced to act against their conscience and refer a patient for an abortion, especially when abortions do not require referral, bearing 50 signatures (*Mr Morris*)

Barmah Forest Brumbies — Requesting that the Legislative Assembly asks the Government — (a) that any action to remove Barmah Forest brumbies cease immediately; and (b) that brumbies are allowed to remain in the Barmah National Park to continue their 150 year contribution to conserve biological diversity in the forest, bearing 2603 signatures (*Mr Weller*).

Petitions ordered to be tabled.

11 **PETITION — MEDICAL PRACTITIONERS' CHOICE TO REFER PATIENTS** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.

12 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Annual Review 2013, Regulations and Legislative Instruments, together with appendices tabled by leave (*Mr Gidley*).

Ordered to be tabled and printed.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 8 of 2014 from the Scrutiny of Acts and Regulations Committee on the:

Freedom of Information and Victorian Inspectorate Acts Amendment Bill 2014
Melbourne Market Authority Amendment Bill 2014
Privacy and Data Protection Bill 2014
Public Records Amendment Bill 2014
Road Safety Road Rules 2009 (Overtaking Bicycles) Bill 2014

together with appendices.

Ordered to be tabled and printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2014 under s 303

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 30 (*Gazette G24, 12 June 2014*)

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — GC12
Bass Coast — C141
Baw Baw — C105
Bayside — C106
Benalla — GC12
Boroondara — C190
Casey — C194, C195
Central Goldfields — GC8
Colac Otway — C79
Corangamite — GC10
East Gippsland — C118
Gannawarra — GC8
Glenelg — GC10
Golden Plains — GC11
Hepburn — GC11
Hindmarsh — GC11
Hobsons Bay — GC9
Horsham — GC11
Hume — GC9
Indigo — GC12
Macedon Ranges — GC8
Manningham — C105
Mansfield — GC12
Maroondah — C93
Melbourne — C229, GC9
Mildura — GC8
Mitchell — GC9
Moirra — GC12
Monash — C119
Mount Alexander — GC8
Moyne — C59
Murrindindi — GC12
Northern Grampians — GC11
Pyrenees — GC11
Queenscliffe — C26
South Gippsland — C98
Stonnington — C187
Strathbogie — GC12
Surf Coast — C94
Towong — C30, GC12
Wangaratta — C53
Warrnambool — C76, C92
Wellington — C91
Wodonga — GC12

Wyndham — GC9
 Yarra Ranges — C126, C134
 Yarriambiack — GC11

Statutory Rules under the following Acts:

Building Act 1993 — SR 51
Drugs, Poisons and Controlled Substances Act 1981 — SR 50
Forests Acts 1958 — SR 52
Freedom of Information Act 1982 — SR 49

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 49, 50, 51, 52

Documents under s 16B in relation to the:

Building Act 1993 — Amendment to the determination that specified areas are designated bushfire prone areas
Education and Training Reform Act 2006 — Ministerial Order No 765
Water Act 1989 — By-law No 1/2014 Waterways Protection — North Central Catchment Management Authority.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Environment Protection and Sustainability Victoria Amendment Act 2014 — Sections 14(2), 15(1), 17, 18, 24, 30 and 32 — 30 June 2014 (*Gazette S178, 10 June 2014*); ss 14(1), 14(3), 14(4), 14(5), 15(2), 16, 19, 20, 21, 31 and Part 4 — 1 August 2014 (*Gazette S188, 17 June 2014*)
Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Act 2014 — Section 16 — 1 July 2014 (*Gazette S188, 17 June 2014*)
Transport Legislation Amendment (Further Taxi Reform and Other Matters) Act 2014 — Sections 4 to 21, 25 to 31, Divisions 4 and 5 of Part 2, ss 42 to 44, 54 to 58 and Division 2 of Part 5 — 30 June 2014 (*Gazette S188, 17 June 2014*).

- 13 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Vexatious Proceedings Bill 2014
 Witness Protection Amendment Bill 2014.

- 14 **APPROPRIATION (2014–2015) BILL 2014 — APPROPRIATION (PARLIAMENT 2014–2015) BILL 2014** — The Speaker announced that, on 17 June 2014, she had presented to the Governor, the Appropriation (2014–2015) Bill 2014 and the Appropriation (Parliament 2014–2015) Bill 2014 to which the Governor gave the royal assent.

- 15 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 17 June 2014, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Building a Better Victoria (State Tax and Other Legislation Amendment) Bill 2014
 Justice Legislation Amendment Bill 2014
 Vexatious Proceedings Bill 2014
 Witness Protection Amendment Bill 2014.

- 16 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:
 Freedom of Information and Victorian Inspectorate Acts Amendment Bill 2014
 Privacy and Data Protection Bill 2014.
- 17 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow ministers' second reading speeches, in relation to the bills listed on the notice paper for this sitting week, to be incorporated into Hansard (*Ms Asher*) — put and agreed to.
- 18 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 26 June 2014:
 Corrections Amendment (Smoke-Free Prisons) Bill 2014
 Crime Statistics Bill 2014
 Energy Legislation Amendment (Customer Metering Protections and Other Matters) Bill 2014
 Local Government (Brimbank City Council) Amendment Bill 2014
 Native Vegetation Credit Market Bill 2014
 Road Safety Amendment Bill 2014
 Sentencing Amendment (Baseline Sentences) Bill 2014
 Water Amendment (Flood Mitigation) Bill 2014
(Ms Asher) — put, after debate, and agreed to.
- 19 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 20 **SENTENCING AMENDMENT (BASELINE SENTENCES) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
 Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.
 Ordered — That the debate be adjourned until later this day.
- 21 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.
- 22 **WATER AMENDMENT (FLOOD MITIGATION) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
 Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.
 Ordered — That the debate be adjourned until later this day.
- 23 **PUBLIC RECORDS AMENDMENT BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill 'for an Act to amend the *Public Records Act 1973* to provide for the public release of Cabinet records 30 years after their creation and to make other changes to clarify and improve the operation of that Act and for other purposes'.
 On the motion of Dr Napthine, the Bill was read a first time and ordered to be read a second time tomorrow.
- 24 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Treasury Legislation and Other Acts Amendment Bill 2014 without amendment.

- 25 **ROAD SAFETY AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 26 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.54 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 192 — Wednesday 25 June 2014

- 1 The Speaker took the Chair and read the Prayer.
- 2 **SENTENCING AMENDMENT (EMERGENCY WORKERS) BILL 2014** — Mr Clark obtained leave to bring in a Bill *for an Act to amend the **Sentencing Act 1991** and the **Crimes Act 1958** to provide a custodial sentence for certain violent offences committed against emergency workers, to amend the **Crimes Act 1958** to fix a baseline sentence for murder of an emergency worker, to amend the **Crimes Act 1958** and the **Summary Offences Act 1966** to expand existing assault offences to include emergency workers, to amend the **Sentencing Act 1991** in relation to community correction orders, to amend the **Children, Youth and Families Act 2005** in relation to the release on parole of certain offenders and for other purposes*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **JUDICIAL COMMISSION BILL 2014** — Mr Clark obtained leave to bring in a Bill *for an Act to establish the Judicial Commission of Victoria under the **Constitution Act 1975**, to provide for investigations into judicial officers and non-judicial members of VCAT, to make consequential and other amendments to other Acts and for other purposes*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Bellarine Peninsula Police Stations** — Requesting that the Legislative Assembly urges the Government to ensure that Portarlington, Drysdale and Queenscliff Police Stations not be closed and have dedicated police staff rostered on for at least 16 hours a day to ensure the safety and wellbeing of all residents of the Bellarine Peninsula, bearing 3705 signatures (*Ms Neville*)
- Rail Revival Study** — Requesting that the Legislative Assembly urges the Government to publicly announce its support for the Rail Revival Study to provide passenger rail services between Bendigo, Ballarat and Geelong and the intermediate communities and to make a suitable allocation in the forthcoming State Budget to carry out this initiative in full, bearing 36 signatures (*Ms Edwards*)
- Commercial Net Fishing Cessation** — Requesting that the Legislative Assembly urges the Government to cease commercial net fishing immediately from Mt Martha through to Sorrento, south of the Southern Channel, to allow fish stock to rebuild, bearing 1190 signatures (*Mr Morris*)
- Reservoir Station Upgrade** — Requesting that the Legislative Assembly urges the Government to fund a grade separation at Reservoir Station that separates road and rail traffic to allow both to move freely, bearing 3195 signatures (*Mr Scott*)

Yan Yean Road Upgrade — Requesting that the Legislative Assembly urges the Government to fund the upgrade of Yan Yean Road, bearing 662 signatures (*Ms Green*)

Police Station for Mernda and Doreen — Requesting that the Legislative Assembly urges the Government to fund a new 24 hour police station to cover the policing needs for the growing suburbs of Mernda and Doreen, bearing 58 signatures (*Ms Green*)

Pedestrian Safety in Doreen and Mernda — Requesting that the Legislative Assembly urges the Government to fund new bus services and footpaths to enable students to walk or cycle in Doreen and Mernda, bearing 8 signatures (*Ms Green*)

School Bus Services in Melbourne's North — Requesting that the Legislative Assembly urges the Government to reinstate existing school bus services and to improve local transport options in Nillumbik, with more bus services and upgrades to cycle and footpaths such as the Hurstbridge rail trail, bearing 55 signatures (*Ms Green*)

Hazel Glen College — Requesting that the Legislative Assembly urges the Government to fund phase 2 of Hazel Glen College in the 2014 Budget as well as funding new bus services, cycle routes and footpaths to serve the school, bearing 137 signatures (*Ms Green*)

East West Link Tunnel Project Contracting — Requesting that the Legislative Assembly urges the Government to give Victorians the say they deserve and not sign any contracts for the East West Link Tunnel project before the 2014 state election, bearing 4 signatures (*Ms Green*).

Petitions ordered to be tabled.

- 5 **PETITION — BELLARINE PENINSULA POLICE STATIONS** — Motion made and question — That the petition presented by the Member for Bellarine be taken into consideration tomorrow (*Ms Neville*) — put and agreed to.
- 6 **PETITION — RAIL REVIVAL STUDY** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 7 **PETITION — COMMERCIAL NET FISHING CESSATION** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 8 **PETITION — YAN YEAN ROAD UPGRADE** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 9 **PETITION — POLICE STATION FOR MERNDA AND DOREEN** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 10 **PETITION — PEDESTRIAN SAFETY IN DOREEN AND MERNDA** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 11 **PETITION — SCHOOL BUS SERVICES IN MELBOURNE'S NORTH** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

- 12 **PETITION — HAZEL GLEN COLLEGE** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 13 **PETITION — EAST WEST LINK TUNNEL PROJECT CONTRACTING** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 14 **PETITION — BARMAH FOREST BRUMBIES** — Motion made and question — That the petition presented by the Member for Rodney on Tuesday 24 June 2014 be taken into consideration tomorrow (*Mr Weller*) — put and agreed to.
- 15 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Administration and Effectiveness of the Environmental Contribution Levy — Ordered to be printed
Recreational Maritime Safety — Ordered to be printed

Parliamentary Committees Act 2003 — Government response to the Economic Development and Infrastructure Committee's Report on the Inquiry into Local Economic Development Initiatives in Victoria

Statutory Rules under the following Acts:

Building Act 1993 — SR 60
Dangerous Goods Act 1985 — SR 56
Drugs, Poisons and Controlled Substances Act 1981 — SR 59
Equipment (Public Safety) Act 1994 — SR 55
Liquor Control Reform Act 1998 — SR 58
Magistrates' Court Act 1989 — SR 70
Occupational Health and Safety Act 2004 — SR 54
Road Safety Act 1986 — SRs 67, 68
Sentencing Act 1991 — SR 57
Subordinate Legislation Act 1994 — SR 61
Transport (Compliance and Miscellaneous) Act 1983 — SRs 62, 63, 64, 65, 66
Water Act 1989 — SR 69
Wildlife Act 1975 — SR 53

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 54, 55, 56, 59, 60, 69, 70.

- 16 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 17 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — FEDERAL BUDGET** — The House was informed that Mr Merlino had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

"That this House condemns the Federal Coalition Government for its unprecedented and callous budget, including:

- (1) \$12.5 billion in cuts to Victoria's health system;
- (2) Abandoning Victorian schools and students by ripping up the Gonski education agreement;

- (3) Driving up the cost of higher education and skills training;
- (4) Forcing Victorian families to pay more for petrol, see a doctor and purchase the medicine they need;
- (5) Cuts which will impact on regional Victorians, including a new tax on petrol, the privatisation of vital government services and cuts to the ABC and SBS; and
- (6) Cuts to Victoria's most vulnerable residents, including Victorian kinders, pensioners, the unemployed and the disabled.'

Mr Merlino addressed the House — Discussion followed.

18 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2014–15 Budget Estimates Part One

Education and Training Committee's Report on the Inquiry into Agricultural Education and Training in Victoria

Road Safety Committee's Report on the Inquiry into Motorcycle Safety.

19 **PUBLIC RECORDS AMENDMENT BILL 2014** — *Dr Naphine tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Dr Naphine*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 July 2014.

20 **COURTS LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 July 2014.

21 **JUDICIAL ENTITLEMENTS BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 July 2014.

- 22 **JUSTICE LEGISLATION AMENDMENT (FIREARMS AND OTHER MATTERS) BILL 2014** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wells*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 July 2014.

- 23 **DISABILITY AMENDMENT BILL 2014** — *Ms Asher tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Asher*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 July 2014.

- 24 **LOCAL GOVERNMENT (BRIMBANK CITY COUNCIL) AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 25 **QUESTIONS** — (Under SO 55).

- 26 **LOCAL GOVERNMENT (BRIMBANK CITY COUNCIL) AMENDMENT BILL 2014** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 27 **ENERGY LEGISLATION AMENDMENT (CUSTOMER METERING PROTECTIONS AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Neville*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 28 **CORRECTIONS AMENDMENT (SMOKE-FREE PRISONS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Knight*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 29 **SENTENCING AMENDMENT (BASELINE SENTENCES) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 30 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Acting Speaker left the Chair at 10.49 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTNE FYFFE
Speaker

No 193 — Thursday 26 June 2014

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Family Violence Protection Act 2008 — Requesting that the Legislative Assembly amends s 6 of the *Family Violence Protection Act 2008* to include 'dowry or coercive demands for gifts or cash in the context of a new marriage' in the list of examples of economic abuse, bearing 108 signatures (*Mr Baillieu*)

East West Link Tunnel Election — Requesting that the Legislative Assembly urges the Government to take the \$8 billion East West link tunnel to an election and let the Victorian people decide, bearing 378 signatures (*Mr Wynne*)

East West Link Tunnel — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West link tunnel, bearing 3 signatures (*Mr Wynne*).

Petitions ordered to be tabled.

- 3 **PETITION — FAMILY VIOLENCE PROTECTION ACT 2008** — Motion made and question — That the petition presented by the Member for Hawthorn be taken into consideration tomorrow (*Mr Baillieu*) — put and agreed to.

- 4 **PETITION — EAST WEST LINK TUNNEL ELECTION** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.

- 5 **PETITION — EAST WEST LINK TUNNEL** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.

6 **DOCUMENTS**

GOVERNMENT RESPONSE TO THE AUDITOR-GENERAL'S REPORTS ISSUED DURING 2012–13 — Report tabled by leave (*Mr Clark*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Annual Plan 2014–15 (four documents)

Impact of Increased Scrutiny of High Value High Risk Projects — Ordered to be printed

Multicultural Victoria Act 2011 — Victorian Government Reporting on Multicultural Affairs — Report 2012–13

State Owned Enterprises Act 1992 — Amended Constitution of State Trustees Ltd under s 75

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 58.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 5 August 2014 (*Ms Asher*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **WATER BILL 2014** — *Mr Walsh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Walsh*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Mr Walsh made the statement of intention required by s 85(5)(c) of the Constitution Act 1975.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 24 July 2014.

10 **CRIMINAL ORGANISATIONS CONTROL AND OTHER ACTS AMENDMENT BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 10 July 2014.

11 **POWERS OF ATTORNEY BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 10 July 2014.

- 12 **SENTENCING AMENDMENT (EMERGENCY WORKERS) BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 10 July 2014.

- 13 **JUDICIAL COMMISSION BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 10 July 2014.

- 14 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 6 and 7 be postponed until later this day.

- 15 **ROAD SAFETY AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 16 **NATIVE VEGETATION CREDIT MARKET BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time, debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the Bill has been referred to, and considered by, the Environment and Natural Resources Committee' (*Ms Neville*) — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

The Speaker announced that, in order to allow the House to consider the motion in its original form, she casts her vote with the ayes.

Question agreed to.

Bill read a second time and considered in detail (*see p 897*).

Business having been interrupted at 2.00 pm under standing orders.

17 **QUESTIONS** — (Under SO 55).

18 **NATIVE VEGETATION CREDIT MARKET BILL 2014** — Bill further considered in detail (*see p 897*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 24 June 2014 had expired.

Question — That Clause 33 stand part of the Bill — put and agreed to.

Question — That Clauses 34 to 139 inclusive stand part of the Bill, the Bill be agreed to without amendment and the Bill be now read a third time — put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

The Speaker announced that, as the motion should be supported by the majority of the House, she casts her vote with the noes.

Question defeated.

- 19 **SENTENCING AMENDMENT (BASELINE SENTENCES) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **WATER AMENDMENT (FLOOD MITIGATION) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **CORRECTIONS AMENDMENT (SMOKE-FREE PRISONS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **ENERGY LEGISLATION AMENDMENT (CUSTOMER METERING PROTECTIONS AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

- 23 **LOCAL GOVERNMENT (BRIMBANK CITY COUNCIL) AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

- 24 **CRIME STATISTICS BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 4.07 pm under sessional orders.

- 25 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.47 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 191, 192 and 193

No 193 — Thursday 26 June 2014

NATIVE VEGETATION CREDIT MARKET BILL 2014

Clause 1 agreed to.

Clause 2 agreed to.

Clause 3 agreed to.

Clauses 4 and 5 agreed to.

Clause 6 agreed to.

Clauses 7 and 8 agreed to.

Clause 9 agreed to.

Clauses 10 to 15 agreed to.

Clause 16 agreed to.

Clause 17 agreed to.

Clause 18 agreed to.

Clause 19 agreed to.

Clauses 20 to 32 agreed to.

Clause 33 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on 24 June 2014 had expired (for remaining stages see pp 894–5).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 194, 195, 196 and 197

No 194 — Tuesday 5 August 2014

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **FLIGHT MH17** — Motion made, by leave, and question — That this House offers its deep and sincere condolences to the families, friends and loved ones of the innocent victims who tragically lost their lives aboard flight MH17 on 17 July 2014 (*Dr Naphthine*) — put, after members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 3 **DEATH OF LORRAINE CLARE ELLIOTT, AM** — Motion made and question — That this House expresses its sincere sorrow at the death of Lorraine Clare Elliott, AM, and places on record its acknowledgment of the valuable services rendered by her to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Mooroolbark from 1992 to 2002 (*Dr Naphthine*) — put, after the Speaker and other members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 4 **ADJOURNMENT** — Motion made, by leave, and question — That, as a further mark of respect to the victims aboard flight MH17 and the memory of the late Lorraine Clare Elliott, AM, the House now adjourns until 5.00 pm today (*Dr Naphthine*) — put and agreed to.

And the House, at 3.49 pm, adjourned until at 5.00 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 195 — Tuesday 5 August 2014
(5.00 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTIONS** — (Under SO 55).
- 3 **ACTING OMBUDSMAN** — The Speaker advised that, on 4 August 2014, she administered to John Taylor, the Acting Ombudsman, the oath required by s 10 of the *Ombudsman Act 1973*.
- 4 **ELECTORAL AMENDMENT BILL 2014** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the Electoral Act 2002 and the Constitution Act 1975 and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **TRANSFER OF LAND AMENDMENT BILL 2014** — Mr Clark obtained leave to bring in a Bill '*for an Act to amend the Transfer of Land Act 1958 and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

- 6 **EMERGENCY MANAGEMENT AMENDMENT (CRITICAL INFRASTRUCTURE RESILIENCE) BILL 2014** — Mr Wells obtained leave to bring in a Bill '*for an Act to amend the **Emergency Management Act 2013** to provide for emergency risk management arrangements for critical infrastructure resilience and to consequentially amend the **Freedom of Information Act 1982** and the **Terrorism (Community Protection) Act 2003** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **GAMBLING AND LIQUOR LEGISLATION FURTHER AMENDMENT BILL 2014** — Mr O'Brien obtained leave to bring in a Bill '*for an Act to make further amendments to the **Gambling Regulation Act 2003**, the **Liquor Control Reform Act 1998** and the **Victorian Commission for Gambling and Liquor Regulation Act 2011**, to amend the **Gambling and Liquor Legislation Amendment (Modernisation) Act 2014** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **TOBACCO AMENDMENT BILL 2014** — Ms Wooldridge obtained leave to bring in a Bill '*for an Act to amend the **Tobacco Act 1987** to prohibit smoking in specified outdoor areas and in the vicinity of pedestrian access points to certain places, to increase the penalty for possessing certain tobacco products and to amend inspectors' powers and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **RESOURCES LEGISLATION AMENDMENT (BTEX PROHIBITION AND OTHER MATTERS) BILL 2014** — Mr Northe obtained leave to bring in a Bill '*for an Act to amend the **Geothermal Energy Resources Act 2005**, the **Greenhouse Gas Geological Sequestration Act 2008**, the **Mineral Resources (Sustainable Development) Act 1990** and the **Petroleum Act 1998** to prohibit the use of BTEX chemicals in hydraulic fracturing and to make other amendments to those Acts, to amend the **Offshore Petroleum and Greenhouse Gas Storage Act 2010** and the **Pipelines Act 2005** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

10 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 9 of 2014 from the Scrutiny of Acts and Regulations Committee on the:

Courts Legislation Miscellaneous Amendments Bill 2014
 Crimes Amendment (Abolition of Defensive Homicide) Bill 2014
 Criminal Organisations Control and Other Acts Amendment Bill 2014
 Disability Amendment Bill 2014
 Gambling Regulation and Casino Control Amendment Bill 2014
 Judicial Commission Bill 2014
 Judicial Entitlements Bill 2014
 Justice Legislation Amendment (Firearms and Other Matters) Bill 2014
 Melbourne Market Authority Amendment Bill 2014
 Powers of Attorney Bill 2014
 Public Health and Wellbeing Amendment (Hairdressing Red Tape Reduction) Bill 2014
 Sentencing Amendment (Emergency Workers) Bill 2014
 Statute Law Amendment (Red Tape Reduction) Bill 2014
 Water Bill 2014
 Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014

together with appendices.

Ordered to be tabled and printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Bushfires Royal Commission Implementation Monitor Act 2011 — Bushfires Royal Commission Implementation Monitor Report 2014 under s 21

Conservation, Forests and Lands Act 1987 — Code of Practice for Timber Production 2014 (two documents)

Crown Land (Reserves) Act 1978:

Orders under s 17D granting leases over:

Cross Keys Reserve

Fitzroy Gardens Reserve

Hastings Public Park

Knox Community Gardens and Vineyard Reserve

Mordialloc-Mentone Beach Park Reserve

Mount Warrenheip Flora Reserve

Queens Park Reserve

St Vincent Gardens Reserve

Orders under s 17B granting licences over:

Alexandra Park and Alexandra Gardens

Mayors Park Reserve

Mordialloc-Mentone Beach Park Reserve

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 51 (*Gazette G26, 26 June 2014*), 52 (*Gazette G27, 3 July 2014*), 60 (*Gazette G26, 26 June 2014*)

Melbourne Cricket Ground Trust — Report year ended 31 March 2014

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Return July 2014 and Summary of Variations Notified between 6 May 2014 and 19 June 2014 — Ordered to be printed

Ombudsman — Investigation into allegations of improper conduct in the Office of Living Victoria — Ordered to be printed

Parliamentary Committees Act 2003 — Government response to the Rural and Regional Committee's Report on the Inquiry into the Opportunities for People to use Telecommuting and E-Business to Work Remotely in Rural and Regional Victoria

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — C48

Banyule — C94 Part 1, C100

Bass Coast — C138

Baw Baw — C111

Bayside — C110

Brimbank — C41

Casey — C164

Frankston — C97

Glen Eira — C106, C125

Greater Bendigo — GC3

Greater Dandenong — C148

Greater Geelong — C285, C290

Greater Shepparton — C155

Hobsons Bay — C101
 Hume — C182, C188, C189
 Mansfield — C29
 Maribyrnong — C129, C133
 Maroondah — C91
 Melbourne — C237, C239, GC16
 Melton — C155, C157
 Moonee Valley — C121
 Moreland — C139, C154
 Mornington Peninsula — C162
 Mount Alexander — C71
 Nillumbik — C87
 Port Phillip — GC16
 South Gippsland — C74, C91, GC3
 Surf Coast — C83
 Swan Hill — C44
 Victoria Planning Provisions — VC109, VC113, VC116
 Wangaratta — C50
 Warrnambool — C95
 Wellington — GC3
 Whittlesea — C158, C176
 Wyndham — C171, C172, C173

Statutory Rules under the following Acts:

Building Act 1993 — SR 104
Children, Youth and Families Act 2005 — SR 91
Conservation, Forests and Lands Act 1987 — SR 98
Country Fire Authority Act 1958 — SRs 81, 94
County Court Act 1958 — SR 100
Domestic Animals Act 1994 — SR 90
Drugs, Poisons and Controlled Substances Act 1981 — SR 95
Environment Protection Act 1970 — SR 92
Fisheries Act 1995 — SR 96
Gambling Regulation Act 2003 — SR 93
Guardianship and Administration Act 1986 — SR 107
Infringements Act 2006 — SR 103
Magistrates' Court Act 1989 — SRs 102, 105, 106
Mental Health Act 2014 — SRs 77, 89
Metropolitan Fire Brigades Act 1958 — SR 82
Open Courts Act 2013 — SR 100
Police Regulation Act 1958 — SR 78
Road Safety Act 1986 — SRs 84, 85
Sale of Land Act 1962 — SR 73
Sex Work Act 1994 — SR 72
Subordinate Legislation Act 1994 — SRs 83, 97
Tobacco Act 1987 — SR 76
Treasury Corporation of Victoria Act 1992 — SR 101
Victorian Energy Efficiency Target Act 2007 — SR 74
Victoria Police Act 2013 — SRs 79, 80
Water Act 1989 — SRs 87, 88, 99
Water Industry Act 1994 — SR 86
Wildlife Act 1975 — SR 75
Workplace Injury Rehabilitation and Compensation Act 2013 — SR 71

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 53, 57, 61, 62, 63, 64, 65, 66, 67, 68, 71, 72, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 94, 95, 96, 97, 98, 99, 100, 102, 103, 104, 105, 106

Documents under s 16B in relation to the:

Child Employment Act 2003 — Mandatory Code of Practice for the Employment of Children in Entertainment (2014)

Electricity Industry Act 2000 — Energy Retail Code version 11

Gas Industry Act 2001 — Energy Retail Code version 11

Racing Act 1958 — Greyhound Racing Victoria — Rule Amendments

Transport (Compliance and Miscellaneous) Act 1983:

Determination of Fees

Driver Accreditation Application, Test, Course and Renewal Requirements

Notice specifying conditions that are to be implied in every driver agreement

Water Act 1989:

By-law No 2014/01 Waterways Protection — North East Catchment Management Authority

By-law No 1 Waterways Protection 2014 — Mallee Catchment Management Authority

By-law No 2 Waterways Protection 2014 — Wimmera Catchment Management Authority

By-law No 3 Waterways Protection 2014 — Goulburn Broken Catchment Management Authority

By-law No 3 Waterways Protection 2014 — West Gippsland Catchment Management Authority

By-law No 4 Waterways Protection 2014 — Corangamite Catchment Management Authority

Workplace Injury Rehabilitation and Compensation Act 2013 — Order approving compliance codes under s 122.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Corrections Amendment (Further Parole Reform) Act 2014 — Whole Act — 1 July 2014 (*Gazette S200, 24 June 2014*)

Legal Profession Uniform Law Application Act 2014 — Part 1, Division 1 of Part 2 (except s 8), s 9, the following provisions of the Legal Profession Uniform Law as set out in Schedule 1 to that Act: Chapter 1, Chapter 8 (except Part 8.5 and ss 412(2), 414 and 415), Part 9.4 of Chapter 9, ss 467, 468 and 476, Schedules 1 and 2, clause 8 of Schedule 4 — 1 July 2014 (*Gazette S200, 24 June 2014*)

Mental Health Act 2014 — Section 2 (other than subsection (1)) — 30 June 2014 (*Gazette S200, 24 June 2014*)

Victoria Police Act 2013 — Whole Act — 1 July 2014 (*Gazette S200, 24 June 2014*)

Victoria Police Amendment (Consequential and Other Matters) Act 2014 — Whole Act other than items 151.6, 160.6 and 160.7 of the Schedule — 1 July 2014; remaining provisions — 1 September 2014 (*Gazette S200, 24 June 2014*)

Witness Protection Amendment Act 2014 — Whole Act (except s 37) — 1 July 2014 (*Gazette S200, 24 June 2014*).

- 11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Corrections Amendment (Smoke-Free Prisons) Bill 2014

Fines Reform Bill 2014

Road Safety Amendment Bill 2014.

- 12 **MELBOURNE MARKET AUTHORITY AMENDMENT BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill 'for an Act to amend the *Melbourne Market Authority Act 1977* to provide for the use of land under that Act and for other purposes'.

On the motion of Mr Hodgett, the Bill was read a first time and ordered to be read a second time tomorrow.

- 13 **MESSAGES FROM THE LIEUTENANT-GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Deputy Clerk of the Legislative Assembly for and in the absence of Clerk of the Parliaments:

On 27 June 2014

Treasury Legislation and Other Acts Amendment Bill 2014

On 1 July 2014

Corrections Amendment (Smoke-Free Prisons) Bill 2014

Energy Legislation Amendment (Customer Metering Protections and Other Matters) Bill 2014

Fines Reform Bill 2014

Local Government (Brimbank City Council) Amendment Bill 2014

Road Safety Amendment Bill 2014.

- 14 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Courts Legislation Miscellaneous Amendments Bill 2014

Criminal Organisations Control and Other Acts Amendment Bill 2014

Judicial Commission Bill 2014

Judicial Entitlements Bill 2014

Water Bill 2014.

- 15 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow ministers' second reading speeches, in relation to the bills listed on the notice paper for this sitting week, to be incorporated into Hansard (*Ms Asher*) — put and agreed to.

- 16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 7 August 2014:

Assisted Reproductive Treatment Further Amendment Bill 2013

Consumer Affairs Legislation Amendment Bill 2014

Criminal Organisations Control and Other Acts Amendment Bill 2014

Filming Approval Bill 2014

Freedom of Information and Victorian Inspectorate Acts Amendment Bill 2014

Powers of Attorney Bill 2014

Privacy and Data Protection Bill 2014

(*Ms Asher*) — put, after debate, and agreed to.

- 17 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Sentencing Amendment (Baseline Sentences) Bill 2014 without amendment.

- 19 **CRIMINAL ORGANISATIONS CONTROL AND OTHER ACTS AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **POWERS OF ATTORNEY BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.43 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 196 — Wednesday 6 August 2014

- 1 The Speaker took the Chair and read the Prayer.

- 2 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (PERMANENT CARE AND OTHER MATTERS) BILL 2014** — Ms Wooldridge obtained leave to bring in a Bill *for an Act to amend the Children, Youth and Families Act 2005 and to amend the Commission for Children and Young People Act 2012 and to make consequential amendments to other Acts and for other purposes*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Kalianna Special School — Requesting that the Legislative Assembly urges the Government to provide funding to develop a master plan for the technical works drawing phase for the future development of Kalianna Special School to cater for students with special needs, bearing 4198 signatures (*Ms Edwards*)

East West Link Tunnel Election — Requesting that the Legislative Assembly urges the Government to take the \$8 billion East West link tunnel to an election and let the Victorian people decide, bearing 231 signatures (*Mr Wynne*)

East West Link Tunnel — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West link tunnel, bearing 18 signatures (*Mr Wynne*)

Health Funding Cuts — Requesting that the Legislative Assembly urges the Government to speak up against the Prime Minister's budget and reverse the health funding cuts, bearing 231 signatures (*Mr Wynne*)

Police Station for Mernda and Doreen — Requesting that the Legislative Assembly urges the Government to fund a new 24 hour police station to cover the policing needs for the growing suburbs of Mernda and Doreen, bearing 67 signatures (*Ms Green*)

Police Resources for Whittlesea — Requesting that the Legislative Assembly urges the Government to work with the local community to upgrade police resources serving the north of the City of Whittlesea, bearing 8 signatures (*Ms Green*)

Yan Yean Road Upgrade — Requesting that the Legislative Assembly urges the Government to fund the upgrade of Yan Yean Road, bearing 301 signatures (*Ms Green*)

Ambulance Station in Wallan and Whittlesea District — Requesting that the Legislative Assembly urges the Government to stop stalling and commence the promised \$2 million ambulance station in Wallan and Whittlesea district, bearing 157 signatures (*Ms Green*).

Petitions ordered to be tabled.

- 4 **PETITION — KALIANNA SPECIAL SCHOOL** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 5 **PETITION — POLICE STATION FOR MERNDA AND DOREEN** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 6 **PETITION — POLICE RESOURCES FOR WHITTLESEA** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 7 **PETITION — YAN YEAN ROAD UPGRADE** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 8 **PETITION — AMBULANCE STATION IN WALLAN AND WHITTLESEA DISTRICT** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 9 **PETITION — EAST WEST LINK TUNNEL ELECTION** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 10 **PETITION — EAST WEST LINK TUNNEL** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 11 **PETITION — HEALTH FUNDING CUTS** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 12 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Coordinating Public Transport — Ordered to be printed

Technical and Further Education Institutes: Results of the 2013 Audits — Ordered to be printed

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 74, 107

Documents under s 16B in relation to the *Racing Act 1958* — Amendment of Racing Victoria Bookmakers' Licence Levy Rules 2012.

- 13 **WORKING WITH CHILDREN AMENDMENT (MINISTERS OF RELIGION AND OTHER MATTERS) BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill *'for an Act to amend the Working with Children Act 2005 and the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes'*.

On the motion of Mr Clark, the Bill was read a first time and ordered to be read a second time tomorrow.

- 14 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 15 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 16 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2014–15 Budget Estimates Part One

Outer Suburban/Interface Services and Development Committee's Report on the Inquiry into Liveability Options in Outer Suburban Melbourne

Rural and Regional Committee's Report on the Inquiry into the Opportunities for People to use Telecommuting and E-Business to Work Remotely in Rural and Regional Victoria

Road Safety Committee's Report on the Inquiry into Motorcycle Safety.

- 17 **ELECTORAL AMENDMENT BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 20 August 2014.

- 18 **TRANSFER OF LAND AMENDMENT BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 20 August 2014.

- 19 **EMERGENCY MANAGEMENT AMENDMENT (CRITICAL INFRASTRUCTURE RESILIENCE) BILL 2014** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wells*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 20 August 2014.

- 20 **GAMBLING AND LIQUOR LEGISLATION FURTHER AMENDMENT BILL 2014** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr O'Brien*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 20 August 2014.

- 21 **TOBACCO AMENDMENT BILL 2014** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Wooldridge*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 20 August 2014.

- 22 **MELBOURNE MARKET AUTHORITY AMENDMENT BILL 2014** — *Mr Hodgett tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Hodgett*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 20 August 2014.

- 23 **RESOURCES LEGISLATION AMENDMENT (BTEX PROHIBITION AND OTHER MATTERS) BILL 2014** — *Mr Northe tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Northe*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 20 August 2014.

- 24 **FILMING APPROVAL BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 25 **QUESTIONS** — (Under SO 55).

- 26 **FILMING APPROVAL BILL 2014** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 27 **CONSUMER AFFAIRS LEGISLATION AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Neville*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 28 **FREEDOM OF INFORMATION AND VICTORIAN INSPECTORATE ACTS AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Pakula announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Newton-Brown*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 29 **PRIVACY AND DATA PROTECTION BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 30 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.34 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 197 — Thursday 7 August 2014

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Medical Practitioners' Choice to Refer Patients — Requesting that the Legislative Assembly urges the Government to protect the doctors, nurses and allied health professionals in Victoria, who care for mothers and their unborn children because no Victorian health professional should be forced to act against their conscience and refer a patient for an abortion, especially when abortions do not require referral, bearing 93 signatures (*Mr Lim*)

Caroline Springs Police Station — Requesting that the Legislative Assembly urges the Government to guarantee that it will make the community safe again by providing more police officers to be based at Caroline Springs Police Station and for the station to be opened 24 hours a day seven days a week, bearing 18 signatures (*Ms Hutchins*)

Melton Highway Level Crossing — Requesting that the Legislative Assembly urges the Government to fix the Melton Highway level crossing, bearing 305 signatures (*Ms Hutchins*).

Petitions ordered to be tabled.

3 **PETITION — CAROLINE SPRINGS POLICE STATION** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

4 **PETITION — MELTON HIGHWAY LEVEL CROSSING** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 19 August 2014 (*Ms Asher*) — put and agreed to.

6 **STATEMENTS BY MEMBERS** — Statements by members were made.

7 **WORKING WITH CHILDREN AMENDMENT (MINISTERS OF RELIGION AND OTHER MATTERS) BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 21 August 2014.

8 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (PERMANENT CARE AND OTHER MATTERS) BILL 2014** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Wooldridge*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 21 August 2014.

- 9 **FREEDOM OF INFORMATION AND VICTORIAN INSPECTORATE ACTS AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time, considered in detail and agreed to with amendments, read a third time (*see pp 913–14*).

Bill sent to the Legislative Council and their agreement requested.

- 10 **ASSISTED REPRODUCTIVE TREATMENT FURTHER AMENDMENT BILL 2013** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 11 **QUESTIONS** — (Under SO 55).

- 12 **ASSISTED REPRODUCTIVE TREATMENT FURTHER AMENDMENT BILL 2013** — Debate resumed on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 5 August 2014 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **FILMING APPROVAL BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

- 14 **POWERS OF ATTORNEY BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **CRIMINAL ORGANISATIONS CONTROL AND OTHER ACTS AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **PRIVACY AND DATA PROTECTION BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **CONSUMER AFFAIRS LEGISLATION AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

Business having been interrupted at 4.02 pm under sessional orders.

- 18 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.35 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 194, 195, 196 and 197

No 197 — Thursday 7 August 2014

**FREEDOM OF INFORMATION AND VICTORIAN INSPECTORATE ACTS AMENDMENT BILL
2014**

Clauses 1 to 13 agreed to.

Clause 14, Mr Pakula moved amendment No 1 (*see Schedule*).

Amendment put and agreed to.

Mr Pakula moved amendment No 2 (*see Schedule*).

Amendment put and agreed to.

Mr Pakula announced that he did not wish to proceed with amendment No 3.

Clause agreed to as amended.

Clauses 15 to 32 agreed to.

Bill agreed to as amended.

SCHEDULE OF AMENDMENTS MOVED

FREEDOM OF INFORMATION AND VICTORIAN INSPECTORATE ACTS AMENDMENT BILL 2014

Amendments moved by Mr Pakula

1. Clause 14, page 11, line 7, omit "45" and insert "28".
2. Clause 14, page 12, line 15, omit "45" and insert "28".

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 198, 199 and 200

No 198 — Tuesday 19 August 2014

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** — (Under SO 55).
- 3 **INVASIVE SPECIES CONTROL BILL 2014** — Mr Walsh obtained leave to bring in a Bill *'for an Act to provide for monitoring, surveillance and control of invasive species in Victoria and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2014** — Mr Walsh obtained leave to bring in a Bill *'for an Act to amend the Prevention of Cruelty to Animals Act 1986, the Domestic Animals Act 1994, the Livestock Disease Control Act 1994, the Veterinary Practice Act 1997 and the Plant Biosecurity Act 2010 to further improve the operation of those Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **SENTENCING AMENDMENT (COWARD'S PUNCH MANSLAUGHTER AND OTHER MATTERS) BILL 2014** — Mr Clark obtained leave to bring in a Bill *'for an Act to amend the Crimes Act 1958 and the Sentencing Act 1991 in relation to manslaughter and to make minor technical amendments to other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **PLANNING AND ENVIRONMENT AMENDMENT (INFRASTRUCTURE CONTRIBUTIONS AND OTHER MATTERS) BILL 2014** — Mr Clark obtained leave to bring in a Bill *'for an Act to amend the Planning and Environment Act 1987 to provide for a new system for levying and collecting contributions towards the provision of infrastructure and to make a related amendment to the Subdivision Act 1988 and to change the name of the Growth Areas Authority to the Metropolitan Planning Authority and make consequential amendments and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **JUSTICE LEGISLATION AMENDMENT (CONFISCATION AND OTHER MATTERS) BILL 2014** — Mr Clark obtained leave to bring in a Bill *'for an Act to amend the Confiscation Act 1997, the Criminal Organisations Control and Other Acts Amendment Act 2014, the Judicial Proceedings Reports Act 1958, the Juries Act 2000, the Personal Safety Intervention Orders Act 2010, the Road Safety Camera Commissioner Act 2011, the Sentencing Act 1991, the Summary Offences Act 1966 and other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **IMPROVING CANCER OUTCOMES BILL 2014** — Ms Wooldridge obtained leave to bring in a Bill *'for an Act to articulate the role and functions of the Secretary to the Department of Health with respect to cancer, to establish a framework for the collection, management, use and disclosure of information relating to cancer, to require the preparation of a plan providing a strategic policy framework for cancer in Victoria, to provide for the registration of the Anti-Cancer Council of Victoria as a company limited by guarantee under the Corporations Act and to repeal the Cancer Act 1958 and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.

9 **DRUGS, POISONS AND CONTROLLED SUBSTANCES FURTHER AMENDMENT BILL 2014** — Ms Wooldridge obtained leave to bring in a Bill '*for an Act to amend the **Drugs, Poisons and Controlled Substances Act 1981** in relation to certain licences, to make other miscellaneous and consequential amendments and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

10 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Sportsground Lighting on Myrtle Park — Requesting that the Legislative Assembly objects to the installation of sportsground lighting on Myrtle Park, bearing 58 signatures (*Mr McIntosh*)

Council Rates — Requesting that the Legislative Assembly legislates to cap council rates at CPI and force councils to justify any further increases, bearing 901 signatures (*Mr Pakula*)

Trafalgar Sound Wall — Requesting that the Legislative Assembly reviews legislation in regard to sound wall regulation, noting the wall in Trafalgar, and considers the impact of such walls on a town by town basis, bearing 137 signatures (*Mr Blackwood*)

Pedestrian Crossing on Victoria Street Northcote — Requesting that the Legislative Assembly directs the Minister for Roads to investigate installing a pedestrian crossing on Victoria Street, near the intersection of Clifton Street, Northcote, to ensure the safety of pedestrians who use this stretch of road, bearing 465 signatures (*Ms Richardson*)

Chandler Highway Bridge — Requesting that the Legislative Assembly urges the Government to provide funding for, and give a commitment to, the duplication of the Chandler Highway Bridge, bearing 229 signatures (*Ms Richardson*).

Petitions ordered to be tabled.

11 **PETITION — COUNCIL RATES** — Motion made and question — That the petition presented by the Member for Lyndhurst be taken into consideration tomorrow (*Mr Pakula*) — put and agreed to.

12 **PETITION — PEDESTRIAN CROSSING ON VICTORIA STREET NORTHCOTE** — Motion made and question — That the petition presented by the Member for Northcote be taken into consideration tomorrow (*Ms Richardson*) — put and agreed to.

13 **PETITION — CHANDLER HIGHWAY BRIDGE** — Motion made and question — That the petition presented by the Member for Northcote be taken into consideration tomorrow (*Ms Richardson*) — put and agreed to.

14 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 10 of 2014 from the Scrutiny of Acts and Regulations Committee on the:

Children, Youth and Families Amendment (Permanent Care and Other Matters) Bill 2014

Crimes Amendment (Abolition of Defensive Homicide) Bill 2014

Criminal Organisations Control and Other Acts Amendment Bill 2014

Electoral Amendment Bill 2014

Emergency Management Amendment (Critical Infrastructure Resilience) Bill 2014

Gambling and Liquor Legislation Further Amendment Bill 2014

Local Government Legislation Amendment (Environmental Upgrade Agreements) Bill 2014

Resources Legislation Amendment (BTEX Prohibition and Other Matters) Bill 2014

Sentencing Amendment (Emergency Workers) Bill 2014

Tobacco Amendment Bill 2014

Transfer of Land Amendment Bill 2014

together with appendices.

Ordered to be tabled and printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Gambling Regulation Act 2003 — Amendments and Monitoring Licence as amended under s 3.4.59C

Interpretation of Legislation Act 1984:

Notices under s 32(3)(a)(iii) in relation to Statutory Rules 39 (*Gazette G25, 19 June 2014*), 54, 55, 56 (*Gazette G29, 17 July 2014*)

Notice under s 32(4)(a)(iii) in relation to Waste Management Policy (Ships' Ballast Water) 2004 and Statutory Rule 59/2006 (*Gazette G33, 14 August 2014*)

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C134
 Boroondara — C189
 Brimbank — C160
 Casey — C196
 East Gippsland — C112 Part 1
 Frankston — C91
 Greater Bendigo — C173, C204
 Greater Geelong — C277, C302, C310
 Horsham — C71
 Hume — C180
 Kingston — C125 Part 1
 Latrobe — C82
 Manningham — C103
 Mansfield — C30
 Melbourne — GC7
 Mildura — C84, C88
 Murrindindi — C50
 Port Phillip — GC7
 Swan Hill — C55
 Wangaratta — C49, C52, C54
 Whittlesea — C186
 Wyndham — C201

Public Interest Monitor — Report 2013–14

Road Safety Camera Commissioner — Report 2013–14

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Road Safety Act 1986* — Declaration of Variation to Regulation 146 of the Road Safety (Vehicles) Regulations 2009

Youth Parole Board and Youth Residential Board — Report 2013–14.

15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Water Amendment (Flood Mitigation) Bill 2014 without amendment.

- 16 **CRIMES AMENDMENT (ABOLITION OF DEFENSIVE HOMICIDE) BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Crimes Act 1958**, the **Evidence Act 2008** and the **Jury Directions Act 2013** to abolish the offence of defensive homicide and to reform the law of complicity and for other purposes*'.

On the motion of Mr Clark, the Bill was read a first time and ordered to be read a second time tomorrow.

- 17 **PUBLIC HEALTH AND WELLBEING AMENDMENT (HAIRDRESSING RED TAPE REDUCTION) BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Public Health and Wellbeing Act 2008** to make provision in relation to the registration of premises in which certain businesses are conducted and to correct an outdated reference and for other purposes*'.

On the motion of Ms Wooldridge, the Bill was read a first time and ordered to be read a second time tomorrow.

- 18 **STATUTE LAW AMENDMENT (RED TAPE REDUCTION) BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Food Act 1984**, the **City of Melbourne Act 2001** and the **Victorian Energy Efficiency Target Act 2007** to further improve the operation of those Acts and for other purposes*'.

On the motion of Mr O'Brien, the Bill was read a first time and ordered to be read a second time tomorrow.

- 19 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 12 August 2014, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Consumer Affairs Legislation Amendment Bill 2014
 Filming Approval Bill 2014
 Sentencing Amendment (Baseline Sentences) Bill 2014
 Water Amendment (Flood Mitigation) Bill 2014.

- 20 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Electoral Amendment Bill 2014
 Emergency Management Amendment (Critical Infrastructure Resilience) Bill 2014
 Gambling and Liquor Legislation Further Amendment Bill 2014
 Tobacco Amendment Bill 2014.

- 21 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow ministers' second reading speeches, in relation to the bills listed on the notice paper for this sitting week, to be incorporated into Hansard (*Ms Asher*) — put and agreed to.

- 22 **CONCURRENT DEBATE — GAMBLING AND LIQUOR LEGISLATION AMENDMENT (MODERNISATION) BILL 2014 AND GAMBLING AND LIQUOR LEGISLATION FURTHER AMENDMENT BILL 2014** — Motion made, by leave, and question — That this House authorises and requires the Speaker to permit the second reading and subsequent stages of the Gambling and Liquor Legislation Amendment (Modernisation) Bill 2014 and the Gambling and Liquor Legislation Further Amendment Bill 2014 to be moved and debated concurrently (*Ms Asher*) — put and agreed to.

- 23 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 21 August 2014:

Children, Youth and Families Amendment (Permanent Care and Other Matters) Bill 2014
 Courts Legislation Miscellaneous Amendments Bill 2014
 Gambling and Liquor Legislation Amendment (Modernisation) Bill 2014
 Gambling and Liquor Legislation Further Amendment Bill 2014
 Resources Legislation Amendment (BTEX Prohibition and Other Matters) Bill 2014
 Sentencing Amendment (Emergency Workers) Bill 2014
 Tobacco Amendment Bill 2014
 Transfer of Land Amendment Bill 2014

(*Ms Asher*) — after debate, put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrantyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

The Speaker announced that, as the government business program is a long established practice of the House and provides members and the public with some certainty as to what will be considered during the week, she casts her vote with the ayes.

Question agreed to.

- 24 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 25 **COURTS LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Under standing orders, Mr Pakula announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate continued on question — That this Bill be now read a second time.

Bill read a second time, considered in detail and agreed to with amendments, read a third time (*see pp 930–1, 933*).

Bill sent to the Legislative Council and their agreement requested.

- 26 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Crime Statistics Bill 2014 without amendment.

- 27 **SENTENCING AMENDMENT (EMERGENCY WORKERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Clark announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 10.00 pm under sessional orders.

- 28 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.39 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 199 — Wednesday 20 August 2014

- 1 The Speaker took the Chair and read the Prayer.
- 2 **INQUIRIES BILL 2014** — Dr Napthine obtained leave to bring in a Bill *'for an Act to provide for the establishment and conduct of inquiries in Victoria, to make related and consequential amendments to other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **CRIMES AMENDMENT (SEXUAL OFFENCES AND OTHER MATTERS) BILL 2014** — Mr Clark obtained leave to bring in a Bill *'for an Act to amend the Crimes Act 1958 in relation to sexual offences, to amend the Criminal Procedure Act 2009 to remove time limits on commencing proceedings for certain former sexual offences and to provide for a course of conduct charge, to amend the Summary Offences Act 1966, the Sentencing Act 1991, the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995, the Working with Children Act 2005 and the Jury Directions Act 2013, to make minor amendments to certain Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **GUARDIANSHIP AND ADMINISTRATION BILL 2014** — Mr Clark obtained leave to bring in a Bill *'for an Act to re-enact with amendments the law relating to guardianship and administration, to repeal the Guardianship and Administration Act 1986 and to consequentially amend various other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2014** — Mr Dixon obtained leave to bring in a Bill *'for an Act to amend the Education and Training Reform Act 2006 to strengthen the regulation of schools and to amend various university Acts in relation to university governance and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Melton Highway Level Crossing** — Requesting that the Legislative Assembly urges the Government to fix the Melton Highway level crossing, bearing 82 signatures (*Ms Hutchins*)

Hospital Services in Cohuna and Kerang — Requesting that the Legislative Assembly directs the Health Department to sustain funding for hospitals in the townships of Cohuna and Kerang to allow them to continue to provide basic medical investigations, care for the people of the surrounding districts and care for the aged and infirm in their own community, bearing 2847 signatures (*Mr Weller*).

Petitions ordered to be tabled.

7 **PETITION — MELTON HIGHWAY LEVEL CROSSING** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

8 **PETITION — HOSPITAL SERVICES IN COHUNA AND KERANG** — Motion made and question — That the petition presented by the Member for Rodney be taken into consideration tomorrow (*Mr Weller*) — put and agreed to.

9 DOCUMENTS

EDUCATION AND TRAINING COMMITTEE — Mr Brooks, Deputy Chair, presented a report from the Education and Training Committee on the Inquiry into Approaches to Homework in Victorian Schools, together with appendices, an extract from the proceedings, a minority report and transcripts of evidence.

Ordered to be tabled and the report, appendices, extract from the proceedings and minority report printed.

DOCUMENTS TABLED BY COMMAND OF THE GOVERNOR

Mr Clark presented by Command of the Governor:

Interim Report of the Royal Commission into Institutional Responses to Child Sexual Abuse (two documents)

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Access to Legal Aid — Ordered to be printed

Managing the Environmental Impacts of Transport — Ordered to be printed

Mental Health Review Board incorporating Psychosurgery Review Board — Report 2013–14.

10 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Criminal Organisations Control and Other Acts Amendment Bill 2014

Powers of Attorney Bill 2014

Privacy and Data Protection Bill 2014.

11 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 12 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — MELBOURNE — MOST LIVEABLE CITY** — The House was informed that Dr Napthine had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes that Melbourne, Victoria has been named, for the fourth successive year, the world's Most Liveable City and recognises the significant investment by the Coalition Government which is building a better Victoria.'

Dr Napthine addressed the House — Discussion followed.

- 13 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Education and Training Committee's Report on the Inquiry into Approaches to Homework in Victorian Schools

Economic Development and Infrastructure Committee's Report on the Inquiry into Local Economic Development Initiatives in Victoria

Public Accounts and Estimates Committee's Report on the 2014–15 Budget Estimates Part One

Road Safety Committee's Report on the Inquiry into Motorcycle Safety

Law Reform Committee's Report on the Inquiry into Sexting.

- 14 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2014** — *Mr Walsh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Walsh*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 3 September 2014.

- 15 **SENTENCING AMENDMENT (COWARD'S PUNCH MANSLAUGHTER AND OTHER MATTERS) BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 3 September 2014.

- 16 **PLANNING AND ENVIRONMENT AMENDMENT (INFRASTRUCTURE CONTRIBUTIONS AND OTHER MATTERS) BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 3 September 2014.

- 17 **JUSTICE LEGISLATION AMENDMENT (CONFISCATION AND OTHER MATTERS) BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 3 September 2014.

- 18 **CRIMES AMENDMENT (ABOLITION OF DEFENSIVE HOMICIDE) BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 3 September 2014.

- 19 **STATUTE LAW AMENDMENT (RED TAPE REDUCTION) BILL 2014** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr O'Brien*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 3 September 2014.

- 20 **IMPROVING CANCER OUTCOMES BILL 2014** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Wooldridge*).
In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 3 September 2014.

- 21 **DRUGS, POISONS AND CONTROLLED SUBSTANCES FURTHER AMENDMENT BILL 2014** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Wooldridge*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 3 September 2014.

- 22 **PUBLIC HEALTH AND WELLBEING AMENDMENT (HAIRDRESSING RED TAPE REDUCTION) BILL 2014** — *Ms Wooldridge tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Wooldridge*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 3 September 2014.

Business having been interrupted at 2.00 pm under standing orders.

- 23 **QUESTIONS** — (Under SO 55).

- 24 **GAMBLING AND LIQUOR LEGISLATION AMENDMENT (MODERNISATION) BILL 2014 AND GAMBLING AND LIQUOR LEGISLATION FURTHER AMENDMENT BILL 2014** — Order read for resuming debate on question — That these Bills be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 25 **RESOURCES LEGISLATION AMENDMENT (BTEX PROHIBITION AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 26 **TRANSFER OF LAND AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Green*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 27 **TOBACCO AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 28 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.36 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 200 — Thursday 21 August 2014

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Bellarine Peninsula Police Stations — Requesting that the Legislative Assembly ensures that Portarlinton, Drysdale and Queenscliff police stations not be closed and have dedicated police staff rostered on for at least 16 hours a day to ensure the safety and wellbeing of all residents of the Bellarine Peninsula, bearing 297 signatures (*Ms Neville*)

Release of Peter Greste — Requesting that the Legislative Assembly urges the Egyptian Government to do whatever possible to ensure the expeditious and appropriate release of Peter Greste and his Al Jazeera colleagues, bearing 83 signatures (*Mr Baillieu*)

Police Station for Mernda and Doreen — Requesting that the Legislative Assembly urges the Government to fund a new 24 hour police station to cover the policing needs for the growing suburbs of Mernda and Doreen, bearing 1115 signatures (*Ms Green*).

Petitions ordered to be tabled.

- 3 **PETITION — BELLARINE PENINSULA POLICE STATIONS** — Motion made and question — That the petition presented by the Member for Bellarine be taken into consideration tomorrow (*Ms Neville*) — put and agreed to.

- 4 **PETITION — POLICE STATION FOR MERNDA AND DOREEN** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

5 **PETITION — RELEASE OF PETER GRESTE** — Motion made and question — That the petition presented by the Member for Hawthorn be taken into consideration tomorrow (*Mr Baillieu*) — put and agreed to.

6 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Education and Training Reform Act 2006*:

Ministerial Direction MD142
Ministerial Direction MD144
Ministerial Order 769

Victorian Law Reform Commission — Review of the *Crimes (Mental Impairment and Unfitness to be Tried) Act 1997* — Ordered to be printed.

7 **REVISED STATEMENT OF COMPATIBILITY** — Revised statement of compatibility for the Children, Youth and Families Amendment (Permanent Care and Other Matters) Bill 2014 tabled and incorporated into Hansard by leave (*Ms Asher*).

8 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 2 September 2014 (*Ms Asher*) — put and agreed to.

9 **STATEMENTS BY MEMBERS** — Statements by members were made.

10 **INQUIRIES BILL 2014** — *Dr Naphthine tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Dr Naphthine*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 4 September 2014.

11 **INVASIVE SPECIES CONTROL BILL 2014** — *Mr Walsh tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Walsh*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 4 September 2014.

12 **CRIMES AMENDMENT (SEXUAL OFFENCES AND OTHER MATTERS) BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.
Ordered — That the debate be adjourned until Thursday 4 September 2014.

- 13 **GUARDIANSHIP AND ADMINISTRATION BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 4 September 2014.

- 14 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2014** — *Mr Dixon tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Dixon*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 4 September 2014.

- 15 **TOBACCO AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (PERMANENT CARE AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Under standing orders, Mr Wynne announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under standing orders.

- 17 **QUESTIONS** — (Under SO 55).

- 18 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (PERMANENT CARE AND OTHER MATTERS) BILL 2014** — Debate continued on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see pp 931–2*).

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 19 August 2014 had expired.

Question — That clauses 18 to 173 inclusive stand part of the Bill, the Bill be agreed to without amendment and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **SENTENCING AMENDMENT (EMERGENCY WORKERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, the Government amendment be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **TRANSFER OF LAND AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **RESOURCES LEGISLATION AMENDMENT (BTEX PROHIBITION AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **GAMBLING AND LIQUOR LEGISLATION AMENDMENT (MODERNISATION) BILL 2014 AND GAMBLING AND LIQUOR LEGISLATION FURTHER AMENDMENT BILL 2014** — Order read for resuming debate on question — That these Bills be now read a second time.

Question — That these Bills be now read a second time and a third time — put and agreed to.

Gambling and Liquor Legislation Amendment (Modernisation) Bill 2014 — Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

Gambling And Liquor Legislation Further Amendment Bill 2014 — Bill sent to the Legislative Council and their agreement requested.

- 23 **TOBACCO AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 24 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (PERMANENT CARE AND OTHER MATTERS) BILL 2014** — The Speaker announced that she had received a report from the Clerk that he has made the following correction in the Bill:

In clause 154, page 78, line 3, he has deleted '(i)' and inserted '(ii)'.

Business having been interrupted at 4.04 pm under sessional orders.

- 25 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.39 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 198, 199 and 200

No 198 — Tuesday 19 August 2014

COURTS LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2014

Clauses 1 to 57 agreed to.

Clause 58, *The Deputy Speaker advised that if amendment No 1 is not agreed to, amendment Nos 2 and 3 cannot be moved as they are consequential.*

Mr Pakula moved amendment No 1 (*see Schedule*).

Amendment put and agreed to.

Mr Pakula moved amendment Nos 2 and 3 (*see Schedule*).

Amendments put and agreed to.

Clause agreed to as amended.

Clauses 59 to 64 agreed to.

Clause 65, Mr Pakula advised that he did not wish to proceed with amendment No 4.

Clause agreed to.

Clauses 66 and 67 agreed to.

Clause 68, Mr Pakula moved amendment No 5 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 69 defeated.

Clauses 70 to 83 agreed to.

Clause 84, Mr Pakula, by leave, moved amendment No 7 in an amended form (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 85 to 88 agreed to.

Clause 89, Mr Pakula, by leave, moved amendment No 8 in an amended form (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 90 to 93 agreed to.

Clause 94, Mr Pakula, by leave, moved amendment No 9 in an amended form (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 95 to 99 agreed to.

Clause 100, Mr Pakula, by leave, moved amendment No 10 in an amended form (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 101 to 104 agreed to.

Clause 105, Mr Pakula, by leave, moved amendment No 11 in an amended form (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 106 to 111 agreed to.

Bill agreed to as amended.

No 200 — Thursday 21 August 2014

CHILDREN, YOUTH AND FAMILIES AMENDMENT (PERMANENT CARE AND OTHER MATTERS) BILL 2014

Clauses 1 to 16 agreed to.

Clause 17, *The Deputy Speaker advised that if clause 17 is agreed to amendment No 2 cannot be moved as it is consequential on clause 17 being omitted.*

Question — That Clause 17 stands part of the Bill — put.

The House divided (the Speaker, Mrs Fyffe in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 42

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Ms Campbell; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

The Speaker announced that, to allow the House to consider the bill in its original form, she casts her vote with the ayes.

Question agreed to.

Allocation of time —The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 19 August 2014 had expired (for remaining stages see pp 927–8).

SCHEDULE OF AMENDMENTS MOVED

COURTS LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2014

Amendments moved by Mr Pakula

1. Clause 58, line 9, after "made" insert "by the later of".
2. Clause 58, line 10, omit "within".
3. Clause 58, line 14, omit "within".
5. Clause 68, lines 33 and 34, omit all the words and expressions on these lines.
6. Clause 69, omit this clause.
7. Clause 84, line 32, omit "84" and insert "83".
8. Clause 89, line 11, omit "89" and insert "88".
9. Clause 94, line 11, omit "94" and insert "93".
10. Clause 100, line 11, omit "100" and insert "99".
11. Clause 105, line 25, omit "105" and insert "104".

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 201, 202, 203 and 204

No 201 — Tuesday 2 September 2014

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **DEATH OF THE HONOURABLE OWEN GLYNDWR (GLYN) JENKINS** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable Owen Glyndwr (Glyn) Jenkins, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Council for the South Western Province from 1970 to 1976 and Geelong Province from 1976 to 1982 and Minister of Water Supply and Minister assisting the Treasurer from 1981 to 1982 (*Dr Naphthine*) — put, after members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 3 **ADJOURNMENT** — Motion made, by leave, and question — That, as a further mark of respect to the memory of the late Honourable Owen Glyndwr (Glyn) Jenkins, the House now adjourns until 4.00 pm today (*Dr Naphthine*) — put and agreed to.

And the House, at 3.01 pm, adjourned until 4.00 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

**No 202 — Tuesday 2 September 2014
(4.00 pm)**

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTIONS** — (Under SO 55).
- 3 **CEMETERIES AND CREMATORIA AMENDMENT BILL 2014** — Ms Wooldridge obtained leave to bring in a Bill *'for an Act to amend the Cemeteries and Crematoria Act 2003 in relation to rights of interment and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **HEALTHCARE QUALITY COMMISSIONER BILL 2014** — Ms Wooldridge obtained leave to bring in a Bill *'for an Act to provide for a complaints process and other processes about health care provision and related matters, to establish the Healthcare Quality Commissioner and the Healthcare Quality Council, to repeal the Health Services (Conciliation and Review) Act 1987, to make minor and consequential amendments to other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2014** — Mr Smith (*Warrantyte*) obtained leave to bring in a Bill *'for an Act to amend the Coastal Management Act 1995, the Conservation, Forests and Lands Act 1987, the Crown Land (Reserves) Act 1978, the*

Land Act 1958, the Land Conservation (Vehicle Control) Act 1972, the Mineral Resources (Sustainable Development) Act 1990, the National Parks Act 1975 and the Owner Drivers and Forestry Contractors Act 2005, to make consequential and other amendments to other Acts and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Capital Funding for Victorian Schools — Requesting that the Legislative Assembly urges the Government to increase capital funding to Victorian schools, bearing 9 signatures (*Ms Knight*)

Imported Food Regulation — Requesting that the Legislative Assembly establishes an inquiry to investigate appropriate legislation to protect the health and wellbeing of consumers in Victoria by ensuring that food sold in Victoria, including food grown or manufactured overseas, meets the standards required of local growers and manufacturers, bearing 15 signatures (*Ms Knight*)

Increase in Car Registrations — Requesting that the Legislative Assembly condemns the Government for its decision to further increase car registration fees, bearing 130 signatures (*Ms Knight*)

Ambulance Services in Ballarat — Requesting that the Legislative Assembly urges the Government to immediately address the failure to provide Ballarat with the continuous coverage of professional paramedic services it needs, bearing 22 signatures (*Ms Knight*)

Eureka Stadium Rebuild — Requesting that the Legislative Assembly urges the Government to support bringing the AFL to Ballarat by funding the redevelopment of Eureka Stadium, bearing 48 signatures (*Ms Knight*)

Delacombe Primary School — Requesting that the Legislative Assembly urges the Government to commit to funding the facilities that Delacombe Primary School needs that were missed in the state budget, bearing 46 signatures (*Ms Knight*)

TAFE Funding and NMIT Campus — Requesting that the Legislative Assembly urges the Government to halt its cuts to TAFE and to ensure that the Greensborough NMIT campus is not sold off but rather is reopened and kept for training and educating future generations, bearing 1956 signatures (*Mr Brooks*)

Greensborough NMIT Campus — Requesting that the Legislative Assembly urges the Government to ensure that the Greensborough NMIT campus is not sold off, but rather is reopened and kept for training and educating future generations, bearing 1356 signatures (*Mr Brooks*)

Council Rates — Requesting that the Legislative Assembly legislates to cap council rates at CPI and force councils to justify any further increases, bearing 36 signatures (*Mr Pakula*).

Petitions ordered to be tabled.

7 **PETITION — CAPITAL FUNDING FOR VICTORIAN SCHOOLS** — Motion made and question — That the petition presented by the Member for Ballarat West be taken into consideration tomorrow (*Ms Knight*) — put and agreed to.

8 **PETITION — IMPORTED FOOD REGULATION** — Motion made and question — That the petition presented by the Member for Ballarat West be taken into consideration tomorrow (*Ms Knight*) — put and agreed to.

- 9 **PETITION — INCREASE IN CAR REGISTRATIONS** — Motion made and question — That the petition presented by the Member for Ballarat West be taken into consideration tomorrow (*Ms Knight*) — put and agreed to.
- 10 **PETITION — AMBULANCE SERVICES IN BALLARAT** — Motion made and question — That the petition presented by the Member for Ballarat West be taken into consideration tomorrow (*Ms Knight*) — put and agreed to.
- 11 **PETITION — EUREKA STADIUM REBUILD** — Motion made and question — That the petition presented by the Member for Ballarat West be taken into consideration tomorrow (*Ms Knight*) — put and agreed to.
- 12 **PETITION — DELACOMBE PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Ballarat West be taken into consideration tomorrow (*Ms Knight*) — put and agreed to.
- 13 **PETITION — TAFE FUNDING AND NMIT CAMPUS** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.
- 14 **PETITION — GREENSBOROUGH NMIT CAMPUS** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.
- 15 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 11 of 2014 from the Scrutiny of Acts and Regulations Committee on the:

Consumer Affairs Legislation Further Amendment Bill 2014
 Crimes Amendment (Sexual Offences and Other Matters) Bill 2014
 Drugs, Poisons and Controlled Substances Further Amendment Bill 2014
 Education and Training Reform Amendment (Miscellaneous) Bill 2014
 Family Violence Protection Amendment Bill 2014
 Guardianship and Administration Bill 2014
 Improving Cancer Outcomes Bill 2014
 Inquiries Bill 2014
 Invasive Species Control Bill 2014
 Justice Legislation Amendment (Confiscation and Other Matters) Bill 2014
 Justice Legislation Amendment (Succession and Surrogacy) Bill 2014
 Planning and Environment Amendment (Infrastructure Contributions and Other Matters) Bill 2014
 Primary Industries Legislation Amendment Bill 2014
 Sentencing Amendment (Coward's Punch Manslaughter and Other Matters) Bill 2014
 Sex Offenders Registration Amendment Bill 2014
 Water Bill 2014

together with appendices.

Ordered to be tabled and printed.

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Mr Ryan presented by Command of the Governor:

Hazelwood Mine Fire Inquiry — Report 2014

Ordered to be tabled and printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under ss 17B and 17D granting a licence and a lease over Birregurra Public Park and Recreation Reserves

Disability Services Commissioner — Report 2013–14

Drugs, Poisons and Controlled Substances Act 1981 — Documents under s 12H:

Poisons Code

Notice regarding amendment, commencement and availability of the Poisons Code

Parts of the Commonwealth standard that the Poisons Code incorporates by reference

Parliamentary Contributory Superannuation Fund — Actuarial Investigation as at 31 March 2014

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C136

Boroondara — C193

Brimbank — GC18

Cardinia — C196

Melton — C158, C159, GC18

Mitchell — C95

Moreland — C156

South Gippsland — C95

Victoria Planning Provisions — VC117, VC118

Wangaratta — C51

Wyndham — C181, GC18

Professional Standards Act 2003 — Institute of Chartered Accountants in Australia Professional Standards Scheme (Victoria) under s 14 (*Gazette S264, 5 August 2014*)

Statutory Rules under the following Acts:

Building Act 1993 — SR 109

Workplace Injury Rehabilitation and Compensation Act 2013 — SR 108

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 109.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Parks and Crown Land Legislation Amendment Act 2013 — Sections 25, 27 and 28 — 1 September 2014 (*Gazette S282, 26 August 2014*)

Sale of Land Amendment Act 2014 — Remaining provisions — 1 October 2014 (*Gazette S282, 26 August 2014*).

- 16 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Assisted Reproductive Treatment Further Amendment Bill 2013
Freedom of Information and Victorian Inspectorate Acts Amendment Bill 2014.

- 17 **LOCAL GOVERNMENT LEGISLATION AMENDMENT (ENVIRONMENTAL UPGRADE AGREEMENTS) BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Local Government 1989** and the **City of Melbourne Act 2001** and for other purposes*'.

On the motion of Mr Northe, the Bill was read a first time and ordered to be read a second time tomorrow.

- 18 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

On 26 August 2014
Crime Statistics Bill 2014
Criminal Organisations Control and Other Acts Amendment Bill 2014
Gambling and Liquor Legislation Amendment (Modernisation) Bill 2014
Powers of Attorney Bill 2014

On 2 September 2014
Assisted Reproductive Treatment Further Amendment Bill 2013
Freedom of Information and Victorian Inspectorate Acts Amendment Bill 2014
Privacy and Data Protection Bill 2014.

- 19 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Education and Training Reform Amendment (Miscellaneous) Bill 2014
Guardianship and Administration Bill 2014
Improving Cancer Outcomes Bill 2014
Inquiries Bill 2014
Invasive Species Control Bill 2014
Justice Legislation Amendment (Confiscation and Other Matters) Bill 2014
Planning and Environment Amendment (Infrastructure Contributions and Other Matters) Bill 2014
Primary Industries Legislation Amendment Bill 2014.

- 20 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow ministers' second reading speeches, in relation to the bills listed on the notice paper for this sitting week, to be incorporated into Hansard (*Ms Asher*) — put and agreed to.

- 21 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 22 **WORKING WITH CHILDREN AMENDMENT (MINISTERS OF RELIGION AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

- 23 **ELECTORAL AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 24 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.58 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 203 — Wednesday 3 September 2014

- 1 The Speaker took the Chair and read the Prayer.
- 2 **CASINO AND GAMBLING LEGISLATION AMENDMENT BILL 2014** — Mr O'Brien obtained leave to bring in a Bill '*for an Act to amend the Casino Control Act 1991, the Casino (Management Agreement) Act 1993 and the Gambling Regulation Act 2003 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Welshman's Reef Caravan Park Closure — Requesting that the Legislative Assembly calls on the Minister for Water to intervene on behalf of the Welshman's Reef Caravan Park to achieve the following — (a) immediately suspend the closure order and authorise an extension of the park lease to allow the Welshman's Reef Caravan Park to continue operations whilst a solution to park management and infrastructure upgrades is found; and (b) provide funding for the Welshman's Reef Caravan Park upgrade works, bearing 2995 signatures (*Ms Edwards*)

40km/h Speed Zones — Requesting that the Legislative Assembly urges the Government to implement 40km/h speed zones in the key shopping centre locations of Upper Heidelberg Road in Ivanhoe, Lower Heidelberg Road in Ivanhoe East and Burgundy Street in Heidelberg, bearing 167 signatures (*Mr Carbines*)

Melton Highway Level Crossing — Requesting that the Legislative Assembly urges the Government to fix the Melton Highway level crossing, bearing 184 signatures (*Ms Hutchins*)

Funding for Secondary School Places in the City of Melton — Requesting that the Legislative Assembly directs the Department of Education to investigate the necessary options to provide more secondary school places for the Caroline Springs, Hillside and Taylors Hill areas, bearing 20 signatures (*Ms Hutchins*)

Mentone Gardens Aged Care — Requesting that the Legislative Assembly calls on the Government to fully reimburse residents or their estates at Mentone Gardens Aged Care, by way of ex gratia or other form of payment, for monies misappropriated by the former proprietor of Mentone Gardens under the *Supported Residential Services Act 2010*, bearing 47 signatures (*Mr Thompson, Sandringham*).

Petitions ordered to be tabled.

- 4 **PETITION — WELSHMAN'S REEF CARAVAN PARK CLOSURE** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 5 **PETITION — 40KM/H SPEED ZONES** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.
- 6 **PETITION — MELTON HIGHWAY LEVEL CROSSING** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.
- 7 **PETITION — FUNDING FOR SECONDARY SCHOOL PLACES IN THE CITY OF MELTON** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

8 **DOCUMENTS**

RURAL AND REGIONAL COMMITTEE — Mr Howard, Deputy Chair, presented a report from the Rural and Regional Committee on the Inquiry into the opportunities for increasing exports of goods and services from regional Victoria, together with appendices, a summary booklet and transcripts of evidence.

Ordered to be tabled and the report, appendices and summary booklet printed.

LAW REFORM, DRUGS AND CRIME PREVENTION COMMITTEE — Mr Southwick presented a report from the Law Reform, Drugs and Crime Prevention Committee on the Inquiry into the supply and use of methamphetamines, particularly 'ice', in Victoria, together with appendices, a minority report, extracts from the proceedings and transcripts of evidence.

Ordered to be tabled and the report, appendices, minority report and extracts from the proceedings printed.

ENVIRONMENT AND NATURAL RESOURCES COMMITTEE — Mr Pandazopoulos, Deputy Chair, presented a report from the Environment and Natural Resources Committee on the Inquiry into heritage tourism and ecotourism in Victoria, together with appendices, a summary report and transcripts of evidence.

Ordered to be tabled and the report, appendices and summary report printed.

ECONOMIC DEVELOPMENT, INFRASTRUCTURE AND OUTER SUBURBAN/INTERFACE SERVICES COMMITTEE — Mr Burgess, Chair, presented a report from the Economic Development, Infrastructure and Outer Suburban/Interface Services Committee on the Inquiry into marine rescue services in Victoria, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices printed.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Morris, Chair, presented a report from the Public Accounts and Estimates Committee on the review of the Auditor-General's Reports 2009–11, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Managing Landfills — Ordered to be printed

Forensic Leave Panel — Report 2013

Interpretation of Legislation Act 1984 — Notice under s 32(4)(a)(iii) in relation to Statutory Rules 54, 55 (*Gazette G35, 28 August 2014*)

Statutory Rules under the following Acts:

Estate Agents Act 1980 — SR 113

Evidence (Miscellaneous Provisions) Act 1958 — SR 118

Honorary Justices Act 2014 — SRs 110, 111

Magistrates' Court Act 1989 — SR 112

Non-Emergency Patient Transport Act 2003 — SR 117

Owners Corporations Act 2006 — SR 114

Residential Tenancies Act 1997 — SR 116

Sale of Land Act 1962 — SR 115

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 111, 113, 114, 115, 116, 117

Guidelines under s 26

Document under s 16B in relation to the *Coastal Management Act 1995* — Victorian Coastal Strategy 2014

Coastal Management Act 1995 — Victorian Coastal Strategy 2014

Victorian Law Reform Commission — Jury Empanelment — Ordered to be printed.

9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Children, Youth and Families Amendment (Permanent Care and Other Matters) Bill 2014
Gambling and Liquor Legislation Further Amendment Bill 2014.

10 **STATEMENTS BY MEMBERS** — Statements by members were made.

11 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — EAST WEST LINK** — The House was informed that Mr Merlino had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House:

- (1) Notes that the Napthine Government has no mandate to build the East West Link, a project that remains shrouded in secrecy;
- (2) Notes that the Premier has refused to let Victorians vote on the East West Link, and now refuses to allow the Legislative Assembly to vote on the East West Link; and
- (3) Calls on the Premier to withhold from signing any contracts for the East West Link until after the 2014 Victorian election.'

Mr Merlino addressed the House — Discussion followed.

- 12 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2014–15 Budget Estimates Part One

Law Reform, Drugs and Crime Prevention Committee's Report on the Inquiry into the supply and use of methamphetamines, particularly 'ice', in Victoria

Rural and Regional Committee's Report on the Inquiry into the opportunities for increasing exports of goods and services from regional Victoria

Public Accounts and Estimates Committee's Report on the review of the Auditor-General's Reports 2009–11.

- 13 **HEALTHCARE QUALITY COMMISSIONER BILL 2014** — *Ms Asher tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Asher*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 17 September 2014.

- 14 **CEMETERIES AND CREMATORIA AMENDMENT BILL 2014** — *Ms Asher tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Asher*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 17 September 2014.

- 15 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2014** — *Mr Smith (Warrandyte) tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Smith, Warrandyte*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 17 September 2014.

- 16 **LOCAL GOVERNMENT LEGISLATION AMENDMENT (ENVIRONMENTAL UPGRADE AGREEMENTS) BILL 2014** — *Mr Northe tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Northe*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 17 September 2014.

Business having been interrupted at 2.00 pm under standing orders.

- 17 **QUESTIONS** — (Under SO 55).

- 18 **ELECTORAL AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Asher*) — after debate, put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 43

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Mr Shaw; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question defeated.

Motion made and question — That the question be now put (*Mr Pandazopoulos*) — put and agreed to.

Question — That the Bill be now read a second time — accordingly put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphthine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrantdyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 43

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Mr Shaw; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question defeated.

- 19 **CRIMES AMENDMENT (ABOLITION OF DEFENSIVE HOMICIDE) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

- 20 **SENTENCING AMENDMENT (COWARD'S PUNCH MANSLAUGHTER AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 21 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.43 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 204 — Thursday 4 September 2014

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PUBLIC ADVOCATE** — The Speaker advised that, on 3 September 2014, she administered to Colleen Georgette Pearce, the Public Advocate, the oath required by Schedule 3 of the *Guardianship and Administration Act 1986*.
- 3 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:
- Bus Services in Melton's South** — Requesting that the Legislative Assembly takes immediate steps to ensure a school bus service be provided to cater for the needs of the new and growing Eynesbury Waterford Housing Estates in Melton's South, bearing 76 signatures (*Mr Nardella*).

Ordered to be tabled.

- 4 **PETITION — MENTONE GARDENS AGED CARE** — Motion made and question — That the petition presented by the Member for Sandringham on Wednesday 3 September 2014 be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

5 **DOCUMENTS**

VICTORIAN COMPETITION AND EFFICIENCY COMMISSION — Report 2013–14 tabled by leave (*Mr O'Brien*).

ACCOUNTABILITY AND OVERSIGHT COMMITTEE — Mr McIntosh, Chair, presented a report from the Accountability and Oversight Committee on Victorian Oversight Agencies, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Ombudsman — Report 2013–14 — Ordered to be printed

State Trustees Ltd — Report 2013–14

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rule 108

Documents under s 16B in relation to the *Electronic Conveyancing (Adoption of National Law) Act 2013*:

Electronic Conveyancing Operating Requirements — Version 2

Electronic Conveyancing Participation Rules — Version 2

Surveillance Devices Act 1999 — Report 2013–14 under s 30L

Surveyor-General — Report 2013–14 on the administration of the *Survey Co-ordination Act 1958*

Treasury Corporation of Victoria — Report 2013–14.

- 6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 16 September 2014 (*Ms Asher*) — put and agreed to.

- 7 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 8 **SANCTIONS — MEMBER FOR FRANKSTON** — Motion made and question — That this House:

(1) notes that the Member for Frankston has demonstrated by his subsequent behaviour that the apology he delivered to the Legislative Assembly on 2 September 2014 was inappropriate and therefore he has failed to meet the requirements of paragraph (5) and paragraph (8) of the motion moved by the Premier and carried by this House on 11 June 2014;

(2) resolves that as a result of his behaviour, the Member for Frankston is in contempt of the Legislative Assembly; and

(3) expels the Member for Frankston from the Legislative Assembly forthwith —

(*Dr Naphine*) — after debate, put.

The House divided (the Speaker, Mrs Fyffe, in the Chair) —

AYES 42

Mr Angus; Ms Asher; Mr Baillieu; Mr Battin; Mr Blackwood; Mr Bull; Mr Burgess; Mr Clark; Mr Crisp; Mr Delahunty; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Mr Kotsiras; Mr McCurdy; Mr McIntosh; Ms McLeish; Ms Miller; Mr Morris; Mr Mulder; Dr Naphine; Mr Newton-Brown; Mr Northe; Mr O'Brien; Mrs Powell; Ms Ryall; Mr Ryan; Mr Smith (*Bass*); Mr Smith (*Warrandyte*); Mr Southwick; Dr Sykes; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Weller; Mr Wells; Ms Wooldridge; Ms Wreford.

NOES 43

Ms Allan; Mr Andrews; Ms Barker; Ms Beattie; Mr Brooks; Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Donnellan; Ms Duncan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Helper; Ms Hennessy; Mr Herbert; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kanis; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Madden; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pandazopoulos; Mr Perera; Ms Richardson; Mr Scott; Mr Shaw; Ms Thomson (*Footscray*); Mr Trezise; Mr Wynne.

Question defeated.

- 9 **CASINO AND GAMBLING LEGISLATION AMENDMENT BILL 2014** — *Mr O'Brien tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr O'Brien*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 18 September 2014.

- 10 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Tobacco Amendment Bill 2014 without amendment.

- 12 **INQUIRIES BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 13 **QUESTIONS** — (Under SO 55).

- 14 **INQUIRIES BILL 2014** — Debate continued on question — That this Bill be now read a second time.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 15 **JUDICIAL COMMISSION BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 4.00 pm under sessional orders.

- 16 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.42 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 205, 206 and 207

No 205 — Tuesday 16 September 2014

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **DEATH OF JOHN (JACK) ALBERT CULPIN** — The Speaker announced the death of John (Jack) Albert Culpin, Member of the Legislative Assembly for the Electoral Districts of Glenroy from 1976 to 1985 and Broadmeadows from 1985 to 1988; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTIONS** — (Under SO 55).
- 4 **INTEGRITY LEGISLATION AMENDMENT BILL 2014** — Mr Clark obtained leave to bring in a Bill *for an Act to amend the **Independent Broad-based Anti-corruption Commission Act 2011**, the **Ombudsman Act 1973** and the **Public Interest Monitor Act 2011** and to make related amendments to certain other Acts and for other purposes*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **SENTENCING AMENDMENT (HISTORICAL HOMOSEXUAL CONVICTIONS EXPUNGEMENT) BILL 2014** — Mr Clark obtained leave to bring in a Bill *for an Act to amend the **Sentencing Act 1991** to establish a scheme under which convictions for certain offences related to conduct engaged in for the purposes of, or in connection with, sexual activity of a homosexual nature may be expunged, to make consequential amendments to the **Victorian Civil and Administrative Tribunal Act 1998** and for other purposes*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **COURTS LEGISLATION AMENDMENT (FUNDS IN COURT) BILL 2014** — Mr Clark obtained leave to bring in a Bill *for an Act to amend the **Supreme Court Act 1986** in relation to funds in court, to consequentially amend other Acts and for other purposes*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - Geelong Regional Innovation and Investment Fund** — Requesting that the Legislative Assembly calls on the Premier to immediately provide additional funding to the Geelong Regional Innovation and Investment Fund, bearing 80 signatures (*Ms Neville*)
 - Footpath in Vicarage Road, Leopold** — Requesting that the Legislative Assembly supports funding from the State Government for the construction of a footpath on both sides of Vicarage Road, Leopold, bearing 329 signatures (*Ms Neville*)
 - Bus Service 847** — Requesting that the Legislative Assembly gives support for bus service 847 from Berwick to Casey Central to be re-routed, bearing 181 signatures (*Mr Perera*)
 - Melton Highway Level Crossing** — Requesting that the Legislative Assembly urges the Government to fix the Melton Highway level crossing, bearing 108 signatures (*Ms Hutchins*)
 - Local Government Rating System in Regional Areas** — Requesting that the Legislative Assembly conducts an inquiry into the fairness and equity of the local government rating system in rural and

regional areas to find a more equitable way to apply rates to farmers, bearing 3300 signatures (*Mr Weller*).

Petitions ordered to be tabled.

8 **PETITION — GEELONG REGIONAL INNOVATION AND INVESTMENT FUND** — Motion made and question — That the petition presented by the Member for Bellarine be taken into consideration tomorrow (*Ms Neville*) — put and agreed to.

9 **PETITION — FOOTPATH IN VICARAGE ROAD, LEOPOLD** — Motion made and question — That the petition presented by the Member for Bellarine be taken into consideration tomorrow (*Ms Neville*) — put and agreed to.

10 **PETITION — MELTON HIGHWAY LEVEL CROSSING** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Mr Hutchins*) — put and agreed to.

11 **PETITION — LOCAL GOVERNMENT RATING SYSTEM IN REGIONAL AREAS** — Motion made and question — That the petition presented by the Member for Rodney be taken into consideration tomorrow (*Mr Weller*) — put and agreed to.

12 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 12 of 2014 from the Scrutiny of Acts and Regulations Committee on the:

Casino and Gambling Legislation Amendment Bill 2014
 Cemeteries and Crematoria Amendment Bill 2014
 Crimes Amendment (Sexual Offences and Other Matters) Bill 2014
 Family Violence Protection Amendment Bill 2014
 Healthcare Quality Commissioner Bill 2014
 Inquiries Bill 2014
 Justice Legislation Amendment (Firearms and Other Matters) Bill 2014
 Parks and Crown Land Legislation Amendment Bill 2014

together with appendices.

Ordered to be tabled and printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Adult Parole Board — Report 2013–14

Commissioner for Law Enforcement and Data Security, Office of — Report 2013–14

Crown Land (Reserves) Act 1978:

Determination under s 17CA giving notice of intention to grant a lease over Lakeside Stadium Reserve

Orders under s 17B granting licences over:

Lakeside Stadium Reserve

Maryvale and Narracan Preservation Reserves

Orders under s 17D granting leases over:

Batman Park

Camperdown Public Park Reserves
Fawkner Park

Docklands Studios Melbourne Pty Ltd — Report 2013–14

Energy Safe Victoria — Report 2013–14

Essential Services Commission — Report 2013–14

Film Victoria — Report 2013–14

Financial Management Act 1994 — Reports from the Minister for Veterans' Affairs that he had received the reports 2013–14 of the:

Shrine of Remembrance
Victorian Veterans Council

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 81 (*Gazette G29, 17 July 2014*)

Melbourne and Olympic Parks Trust — Report 2013–14

Members of Parliament (Register of Interests) Act 1978 — Summary of Returns June 2014 and Summary of a Variation notified between 20 June 2014 and 12 September 2014 — Ordered to be printed

Metropolitan Fire and Emergency Services Board — Report 2013–14

Planning and Environment Act 1987:

Amendment 121 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan
Notices of approval of amendments to the following Planning Schemes:

Banyule — C104
Bass Coast — C131, C144
Boroondara — C213
Brimbank — GC17
Buloke — C23
Colac Otway — C75
East Gippsland — C117
Hobsons Bay — C97
Knox — C121
Maribyrnong — GC17
Melbourne — GC17
Melton — GC17
Southern Grampians — C34
Victoria Planning Provisions — VC120
Whitehorse — C165
Wyndham — GC17

Racing Integrity Commissioner, Office of — Report 2013–14

Recreational Fishing Licence Trust Account — Report 2013–14 on the disbursement of Revenue

State Sport Centres Trust — Report 2013–14

Statutory Rule under the *Coroners Act 2008* — SR 119

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 110, 112, 119

Surveillance Devices Act 1999 — Report of the Victorian Inspectorate under s 30Q

Terrorism (Community Protection) Act 2003 — Victorian Review of Counter-Terrorism Legislation Report under s 38

Victoria Grants Commission — Report year ended 31 August 2014

Victorian Curriculum and Assessment Authority — Report 2013–14

Victorian Institute of Teaching — Report 2013–14

Victorian Registration and Qualifications Authority — Report 2013–14

Victorian Small Business Commissioner, Office of — Report 2013–14.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Consumer Affairs Legislation Amendment Act 2014 — Sections 3, 4, 5, 6, 10, 12 and 21 and Part 8 — 3 November 2014 (*Gazette S304, 9 September 2014*)

Criminal Organisations Control and Other Acts Amendment Act 2014 — Part 7 — 2 September 2014 (*Gazette S295, 2 September 2014*)

Justice Legislation Amendment (Miscellaneous) Act 2013 — Section 46 — 2 September 2014 (*Gazette S295, 2 September 2014*).

GOVERNMENT RESPONSE TO THE VICTORIAN REVIEW OF COUNTER-TERRORISM LEGISLATION REPORT — Tabled by leave (*Mr Clark*).

CONSUMER UTILITIES ADVOCACY CENTRE — Report 2013–14 tabled by leave (*Ms Victoria*).

FIRE SERVICES COMMISSIONER — Report 2013–14 tabled by leave (*Mr Wells*).

13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Courts Legislation Miscellaneous Amendments Bill 2014 without amendment.

14 **CONSUMER AFFAIRS LEGISLATION FURTHER AMENDMENT BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Owners Corporations Act 2006**, the **Retirement Villages Act 1986**, the **Sale of Land Act 1962**, the **Veterans Act 2005** and the **Australian Consumer Law and Fair Trading Act 2012** and for other purposes*'.

On the motion of Ms Victoria, the Bill was read a first time and ordered to be read a second time tomorrow.

15 **SEX OFFENDERS REGISTRATION AMENDMENT BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Sex Offenders Registration Act 2004**, the **Children, Youth and Families Act 2005** and the **Freedom of Information Act 1982** and for other purposes*'.

On the motion of Mr Clark, the Bill was read a first time and ordered to be read a second time tomorrow.

- 16 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 9 September 2014, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Children, Youth and Families Amendment (Permanent Care and Other Matters) Bill 2014
 Courts Legislation Miscellaneous Amendments Bill 2014
 Crimes Amendment (Abolition of Defensive Homicide) Bill 2014
 Gambling and Liquor Legislation Further Amendment Bill 2014
 Tobacco Amendment Bill 2014
 Working with Children Amendment (Ministers of Religion and Other Matters) Bill 2014.

- 17 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Casino and Gambling Legislation Amendment Bill 2014
 Healthcare Quality Commissioner Bill 2014
 Parks and Crown Land Legislation Amendment Bill 2014.

- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 19 **JUSTICE LEGISLATION AMENDMENT (CONFISCATION AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Clark announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Bill read a second time, considered in detail and agreed to with amendments, read a third time (*see pp 967, 969–71*).

Bill sent to the Legislative Council and their agreement requested.

- 20 **DRUGS, POISONS AND CONTROLLED SUBSTANCES FURTHER AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.54 pm.

R W PURDEY
 Clerk of the Legislative Assembly

CHRISTINE FYFFE
 Speaker

No 206 — Wednesday 17 September 2014

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

TAFE Funding and NMIT Campus — Requesting that the Legislative Assembly urges the Government to halt its cuts to TAFE and to ensure that the Greensborough NMIT campus is not sold off but rather is reopened and kept for training and educating future generations, bearing 96 signatures (*Mr Brooks*)

Greensborough NMIT Campus — Requesting that the Legislative Assembly urges the Government to ensure that the Greensborough NMIT Campus is not sold off, but rather is reopened and kept for training and educating future generations, bearing 7 signatures (*Mr Brooks*)

Watsonia Station Car Park — Requesting that the Legislative Assembly urges the Government to ensure that any plans to sell or redevelop Watsonia Station car park does not result in a decrease in car parking available to commuters, bearing 158 signatures (*Mr Brooks*)

Melton Highway Level Crossing — Requesting that the Legislative Assembly urges the Government to fix the Melton Highway level crossing, bearing 182 signatures (*Ms Hutchins*)

East West Link Tunnel — Requesting that the Legislative Assembly urges the Government to seek a mandate from the people of Victoria before spending \$8 billion on the East West link tunnel, bearing 15 signatures (*Mr Wynne*)

Health Funding Cuts — Requesting that the Legislative Assembly urges the Government to speak up against the Prime Minister's budget and reverse the health funding cuts, bearing 459 signatures (*Mr Wynne*)

Imported Food Regulation — Requesting that the Legislative Assembly establishes an inquiry to investigate appropriate legislation to protect the health and wellbeing of consumers in Victoria by ensuring that food sold in Victoria, including food grown or manufactured overseas, meets the standards required of local growers and manufacturers, bearing 809 signatures (*Ms Halfpenny*).

Petitions ordered to be tabled.

3 **PETITION — TAFE FUNDING AND NMIT CAMPUS** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.

4 **PETITION — GREENSBOROUGH NMIT CAMPUS** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.

5 **PETITION — WATSONIA STATION CAR PARK** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.

6 **PETITION — EAST WEST LINK TUNNEL** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.

- 7 **PETITION — HEALTH FUNDING CUTS** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 8 **PETITION — IMPORTED FOOD REGULATION** — Motion made and question — That the petition presented by the Member for Thomastown be taken into consideration tomorrow (*Ms Halfpenny*) — put and agreed to.
- 9 **PETITION — MELTON HIGHWAY LEVEL CROSSING** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.

10 **DOCUMENTS**

POLICE REGISTRATION AND SERVICES BOARD — Report 2013–14 tabled by leave (*Mr Wells*).

PARLIAMENTARY DEPARTMENTS — Reports 2013–14 of the Department of the Legislative Assembly and the Department of Parliamentary Services tabled by leave (*Mr Weller*).

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE — Ms Ryall, Chair, presented a report from the Family and Community Development Committee on the Inquiry into Social Inclusion and Victorians with a Disability, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices printed.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Morris, Chair, presented a report from the Public Accounts and Estimates Committee on the 2014–15 Budget Estimates Part Two, together with appendices.

Ordered to be tabled and printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Agriculture Victoria Services Pty Ltd — Report 2013–14

Auditor-General:

Effectiveness of Catchment Management Authorities — Ordered to be printed
Management and Oversight of the Caulfield Racecourse Reserve — Ordered to be printed

Australian Grand Prix Corporation — Report 2013–14

Casterton Memorial Hospital — Report 2013–14

Emerald Tourist Railway Board — Report 2013–14

Emergency Services Superannuation Scheme — Report 2013–14

Environment Protection Authority — Report 2013–14

Financial Management Act 1994:

Reports from the Minister for Agriculture and Food Security that he had received the reports 2013–14 of:

Dairy Food Safety Victoria

Murray Valley Citrus Board

Northern Victorian Fresh Tomato Industry Development Committee

Phytogene Pty Ltd

PrimeSafe

Victorian Strawberry Industry Development Committee

Reports from the Minister for Health that he had received the reports 2013–14 of:

Ballaarat General Cemeteries Trust

Bendigo Cemeteries Trust

Mildura Cemetery Trust

Report from the Minister for Women's Affairs that she had received the Report 2013–14 of Queen Victoria Women's Centre Trust

Greater Metropolitan Cemeteries Trust — Report 2013–14

Health Services Commissioner, Office of — Report 2013–14

Linking Melbourne Authority — Report 2013–14

Lorne Community Hospital — Report 2013–14

Melbourne Convention and Exhibition Trust — Report 2013–14

Otway Health and Community Services — Report 2013–14

Parliamentary Committees Act 2003 — Government response to the Electoral Matters Committee's Report on the Inquiry into the future of Victoria's electoral administration

Public Transport Development Authority — Report 2013–14

South Gippsland Hospital — Report 2013–14

Southern Metropolitan Cemeteries Trust — Report 2013–14

Statutory Rule under the *Motor Car Traders Act 1986* — SR 120

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 120

Taxi Services Commission — Report 2013–14

Timboon and District Healthcare Service — Report 2013–14

Transport Accident Commission — Report 2013–14

VicForests — Report 2013–14

Victorian Environmental Assessment Council Act 2001 — Request and statement under s 16

Victorian Government Purchasing Board — Report 2013–14

Victorian Rail Track — Report 2013–14

V/Line Corporation — Report 2013–14

V/Line Pty Ltd — Report 2013–14

Yea and District Memorial Hospital — Report 2013–14.

- 11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Sentencing Amendment (Emergency Workers) Bill 2014
Transfer of Land Amendment Bill 2014.

- 12 **FAMILY VIOLENCE PROTECTION AMENDMENT BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Family Violence Protection Act 2008** and the **Personal Safety Intervention Orders Act 2010** and for other purposes*'.

On the motion of Mr Clark, the Bill was read a first time and ordered to be read a second time tomorrow.

- 13 **JUSTICE LEGISLATION AMENDMENT (SUCCESSION AND SURROGACY) BILL 2014** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Administration and Probate Act 1958**, the **Wills Act 1997** and the **Status of Children Act 1974**, to make consequential and other amendments to other Acts and for other purposes*'.

On the motion of Mr Clark, the Bill was read a first time and ordered to be read a second time tomorrow.

- 14 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Sentencing Amendment (Historical Homosexual Convictions Expungement) Bill 2014.

- 15 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 16 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 17 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Family and Community Development Committee's Report on the Inquiry into Social Inclusion and Victorians with a Disability

Economic Development, Infrastructure and Outer Suburban/Interface Services Committee's Report on the Inquiry into marine rescue services in Victoria

Rural and Regional Committee's Report on the Inquiry into the opportunities for increasing exports of goods and services from regional Victoria

Public Accounts and Estimates Committee's Report on the 2014–15 Budget Estimates Part One

Public Accounts and Estimates Committee's Report on the 2014–15 Budget Estimates Part Two

Environment and Natural Resources Committee's Report on the Inquiry into heritage tourism and ecotourism in Victoria.

- 18 **SENTENCING AMENDMENT (HISTORICAL HOMOSEXUAL CONVICTIONS EXPUNGEMENT) BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).
- Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 1 October 2014.
- 19 **INTEGRITY LEGISLATION AMENDMENT BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).
- Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 1 October 2014.
- Business having been interrupted at 2.00 pm under standing orders.*
- 20 **QUESTIONS** — (Under SO 55).
- 21 **COURTS LEGISLATION AMENDMENT (FUNDS IN COURT) BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).
- Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 1 October 2014.
- 22 **SEX OFFENDERS REGISTRATION AMENDMENT BILL 2014** — *Mr Wells tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Wells*).
- Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 1 October 2014.
- 23 **CONSUMER AFFAIRS LEGISLATION FURTHER AMENDMENT BILL 2014** — *Ms Victoria tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Ms Victoria*).
- Motion made and question — That the debate be now adjourned (*Ms Green*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 1 October 2014.

- 24 **DRUGS, POISONS AND CONTROLLED SUBSTANCES FURTHER AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 25 **CRIMES AMENDMENT (SEXUAL OFFENCES AND OTHER MATTERS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Ms Asher announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Bill read a second time, considered in detail and agreed to with amendments, read a third time (*see pp 967–8, 971–2*).

Bill sent to the Legislative Council and their agreement requested.

- 26 **EMERGENCY MANAGEMENT AMENDMENT (CRITICAL INFRASTRUCTURE RESILIENCE) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 27 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.40 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 207 — Thursday 18 September 2014

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Wellsford State Forest — Requesting that the Legislative Assembly instructs the Victorian Environmental Assessment Council to review the conservation status of the Wellsford State Forest with the specific task of proposing an appropriate system of management under the *National Parks Act 1975* to ensure the protection of the rich biodiversity of this important box-ironbark remnant, bearing 795 signatures (*Ms Allan*)

Tarilta Road Bridge at Vaughan — Requesting that the Legislative Assembly calls on the Minister for Roads to investigate the closure of the Tarilta Road Bridge at Vaughan and provide additional funding to the Shire for urgent rebuilding works to take place on this vital asset, bearing 703 signatures (*Ms Edwards*)

Chaplaincy Services and Special Religious Instruction — Requesting that the Legislative Assembly takes note of the support from the community for the role of chaplains and wellbeing workers in schools and affirms the commitment by all parties and members to ensuring both chaplaincy services and special religious instruction remain part of our school system, bearing 2435, 1904 and 1171 signatures (*Mr Languiller, Mr Angus and Mr Morris respectively*)

Swinburne Lilydale TAFE Land Zoning — Requesting that the Legislative Assembly ensures that the Swinburne university facilities remain solely for educational purposes and that the land zoning is not changed to facilitate the breaking up of the Swinburne site, bearing 1100 signatures (*Mr Merlino*)

Stonnington Planning Scheme Amendment C184 — Requesting that the Legislative Assembly rejects Stonnington Planning Scheme Amendment C184 (PAO) and finds a safe and suitable solution for the issue of open space in this electorate, bearing 888 signatures (*Mr Newton-Brown*)

Suspending Work on East West Road — Requesting that the Legislative Assembly suspends all work on the East West toll road until Victorians are given a chance to vote on this expensive and unpopular project, bearing 3067 signatures (*Mr Wynne*)

Open Cut Mine in Stawell — Requesting that the Legislative Assembly and the responsible ministers refuse the approval of the proposal of a Canadian company to open-cut mine within Stawell township and within 40 metres of residences, bearing 670 signatures (*Mr Helper*).

Petitions ordered to be tabled.

- 3 **PETITION — SUSPENDING WORK ON EAST WEST ROAD** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 4 **PETITION — SWINBURNE LILYDALE TAFE LAND ZONING** — Motion made and question — That the petition presented by the Member for Monbulk be taken into consideration tomorrow (*Mr Merlino*) — put and agreed to.
- 5 **PETITION — TARILTA ROAD BRIDGE AT VAUGHAN** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 6 **PETITION — STONNINGTON PLANNING SCHEME AMENDMENT C184** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Newton-Brown*) — put and agreed to.
- 7 **PETITION — CHAPLAINCY SERVICES AND SPECIAL RELIGIOUS INSTRUCTION** — Motion made and question — That the petition presented by the Member for Derrimut be taken into consideration tomorrow (*Mr Languiller*) — put and agreed to.
- 8 **PETITION — OPEN CUT MINE IN STAWELL** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Mr Helper*) — put and agreed to.
- 9 **DOCUMENTS**

VICTORIA LAW FOUNDATION — Report 2013–14 tabled by leave (*Mr Clark*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Accident Compensation Conciliation Service — Report 2013–14

Adult, Community and Further Education Board — Report 2013–14

Alpine Health — Report 2013–14

Australian Centre for the Moving Image — Report 2013–14

Barwon Region Water Corporation — Report 2013–14

Beaufort and Skipton Health Service — Report 2013–14

Calvary Health Care Bethlehem Ltd — Report 2013–14

CenITex — Report 2013–14

Central Gippsland Region Water Corporation — Report 2013–14

Central Highlands Region Water Corporation — Report 2013–14

City West Water Corporation — Report 2013–14

Cobram District Hospital — Report 2013–14

Coliban Region Water Corporation — Report 2013–14

Commission for Children and Young People — Report 2013–14

Community Visitors — Report 2013–14 under s 35 of the *Disability Act 2006*, s 116A of the *Mental Health Act 1986* and s 195 of the *Supported Residential Services (Private Proprietors) Act 2010* — Ordered to be printed

Dental Health Services Victoria — Report 2013–14

Dunmunkle Health Services — Report 2013–14

East Gippsland Region Water Corporation — Report 2013–14

Edenhope and District Memorial Hospital — Report 2013–14

Emergency Services Telecommunications Authority — Report 2013–14

Environment and Primary Industries, Department of — Report 2013–14

Financial Management Act 1994:

Reports from the Minister for Agriculture and Food Security that he had received the reports 2013–14 of the:

Murray Valley Wine Grape Industry Development Committee

Veterinary Practitioners Registration Board of Victoria

Report from the Minister for Health that he had received the Report 2013–14 of Maldon Hospital

Geelong Cemeteries Trust — Report 2013–14

Geelong Performing Arts Centre Trust — Report 2013–14

Geoffrey Gardiner Dairy Foundation Ltd — Report 2013–14 (two documents)

Gippsland and Southern Rural Water Corporation — Report 2013–14

Glenelg Hopkins Catchment Management Authority — Report 2013–14

Goulburn Broken Catchment Management Authority — Report 2013–14

Goulburn Murray Rural Water Corporation — Report 2013–14

Goulburn Valley Region Water Corporation — Report 2013–14

Grampians Wimmera Mallee Water Corporation — Report 2013–14

Hesse Rural Health Service — Report 2013–14

Human Services, Department of — Report 2013–14

Inglewood and Districts Health Service — Report 2013–14

Judicial College of Victoria — Report 2013–14

Library Board of Victoria — Report 2013–14

Lower Murray Urban and Rural Water Corporation — Report 2013–14

Mansfield District Hospital — Report 2013–14

Melbourne Market Authority — Report 2013–14

Melbourne Recital Centre Ltd — Report 2013–14 (two documents)

Melbourne Water Corporation — Report 2013–14

Metropolitan Waste Management Group — Report 2013–14

Museums Board of Victoria — Report 2013–14

National Gallery of Victoria, Council of Trustees — Report 2013–14

National Parks Act 1975 — Report 2013–14 on the working of the Act

North Central Catchment Management Authority — Report 2013–14

North East Catchment Management Authority — Report 2013–14

North East Region Water Corporation — Report 2013–14

Numurkah District Health Service — Report 2013–14

Omeo District Health — Report 2013–14

Orbost Regional Health — Report 2013–14

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the Review of the Performance Measurement and Reporting System

Port of Hastings Development Authority — Report 2013–14

Port of Melbourne Corporation — Report 2013–14

Premier and Cabinet, Department of — Report 2013–14

Public Record Office Victoria — Report 2013–14

Regional Development Victoria — Report 2013–14

Rochester and Elmore District Health Service — Report 2013–14

Rolling Stock Holdings (Victoria) Pty Ltd — Report 2013–14

Rolling Stock (Victoria-VL) Pty Ltd — Report 2013–14

Rolling Stock (VL-1) Pty Ltd — Report 2013–14

Rolling Stock (VL-2) Pty Ltd — Report 2013–14

Rolling Stock (VL-3) Pty Ltd — Report 2013–14

Rural Finance Corporation — Report 2013–14

Rural Northwest Health — Report 2013–14

Sentencing Advisory Council — Report 2013–14

Seymour District Memorial Hospital — Report 2013–14

South East Water Corporation — Report 2013–14

South Gippsland Region Water Corporation — Report 2013–14

State Electricity Commission of Victoria — Report 2013–14

Statutory Rule under the *Magistrates' Court Act 1989* — SR 121

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rule 121

Documents under s 16B in relation to the *Food Act 1984*:

Exemption for retail sale or catering — eggs from small producers

Order exempting small egg producers from requirement for marking of eggs under the Food Standards Code

Order under s 4I

Tallangatta Health Service — Report 2013–14

Terang and Mortlake Health Service — Report 2013–14

Tourism Victoria — Report 2013–14

Victoria Legal Aid — Report 2013–14

Victorian Arts Centre Trust — Report 2013–14

Victorian Broiler Industry Negotiation Committee — Report 2013–14

Victorian Catchment Management Council — Report 2013–14

Victorian Civil and Administrative Tribunal — Report 2013–14

Victorian Funds Management Corporation — Report 2013–14

Victorian Institute of Forensic Mental Health — Report 2013–14

Victorian Law Reform Commission — Report 2013–14 — Ordered to be printed

Victorian Managed Insurance Authority — Report 2013–14

Victorian Privacy Commissioner, Office of — Report 2013–14 — Ordered to be printed

Victorian Public Sector Commission — Report 2013–14

Victorian Regional Channels Authority — Report 2013–14

Victorian WorkCover Authority — Report 2013–14

Wannon Region Water Corporation — Report 2013–14

West Wimmera Health Service — Report 2013–14

Western Region Water Corporation — Report 2013–14

Westernport Region Water Corporation — Report 2013–14

Yarra Valley Water Corporation — Report 2013–14

Yarrawonga District Health Service — Report 2013–14

Young Farmers' Finance Council — Report 2013–14.

10 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 14 October 2014 (*Ms Asher*) — put and agreed to.

11 **STATEMENTS BY MEMBERS** — Statements by members were made.

12 **FAMILY VIOLENCE PROTECTION AMENDMENT BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 2 October 2014.

- 13 **JUSTICE LEGISLATION AMENDMENT (SUCCESSION AND SURROGACY) BILL 2014** — *Mr Clark tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Clark*).

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 2 October 2014.

- 14 **CASINO AND GAMBLING LEGISLATION AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 15 **CASINO AND GAMBLING LEGISLATION AMENDMENT BILL 2014** — The Acting Speaker announced that the Speaker had received a report from the Clerk that he has made the following correction in the Bill:

In Clause 6, page 4, line 27, he has deleted the square brackets around '2.2(a)'.

- 16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Inquiries Bill 2014 without amendment.

- 17 **EMERGENCY MANAGEMENT AMENDMENT (CRITICAL INFRASTRUCTURE RESILIENCE) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 18 **IMPROVING CANCER OUTCOMES BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under standing orders.

- 19 **QUESTIONS** — (Under SO 55).

- 20 **IMPROVING CANCER OUTCOMES BILL 2014** — Debate continued on question — That this Bill be now read a second time.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 4.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 4.35 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL Supplement to Votes Nos 205, 206 and 207

No 205 — Tuesday 16 September 2014

JUSTICE LEGISLATION AMENDMENT (CONFISCATION AND OTHER MATTERS) BILL 2014

Motion made, by leave, and question — That the scope of the Justice Legislation Amendment (Confiscation and Other Matters) Bill 2014 be extended to enable consideration of amendments and new clauses in relation to the *Crimes Act 1958* to provide for the Magistrates' Court to make an order requiring a specified person to provide information or assistance to a police officer executing a warrant issued under s 465 of that Act (*Mr Clark*) — put and agreed to.

Clause 1 agreed to.

Clause 2, Mr Clark moved amendment No 1 (*see Schedule 1*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 3 to 68 agreed to.

Part 10, Division 4, new heading, Mr Clark moved amendment No 2 (*see Schedule 1*).

Amendment put and agreed to.

Heading agreed to and added to the bill.

Part 10, Division 4 heading, Mr Clark moved amendment No 3 (*see Schedule 1*).

Amendment put and agreed to.

Heading agreed to as amended.

Clauses 69 and 70 agreed to.

New clauses AA and BB, Mr Clark moved new clauses AA and BB (*see Schedule 1*).

New clauses agreed to and added to the bill.

Bill agreed to as amended.

No 206 — Wednesday 17 September 2014

CRIMES AMENDMENT (SEXUAL OFFENCES AND OTHER MATTERS) BILL 2014

Clauses 1 to 9 agreed to.

Clause 10, Mr Clark moved amendment Nos 1 to 3 inclusive (*see Schedule 2*).

Amendments put and agreed to.

Clause agreed to as amended.

Clauses 11 to 37 agreed to.

Bill agreed to as amended.

SCHEDULES OF AMENDMENTS MOVED

SCHEDULE 1

JUSTICE LEGISLATION AMENDMENT (CONFISCATION AND OTHER MATTERS) BILL 2014

Amendments and new clauses moved by Mr Clark

1. Clause 2, lines 23 and 24, omit "3 and 4" and insert "3, 4 and 5".
2. Page 86, after line 34 insert the following heading—

"Division 4—Amendment of Crimes Act 1958".
3. Division heading preceding clause 69, omit "Division 4" and insert "Division 5".

NEW CLAUSES

4. Insert the following New Clauses to follow clause 68 and the heading proposed by amendment number 2—

'AA New section 465AA inserted

After section 465 of the **Crimes Act 1958** insert—

"465AA Power to require assistance from person with knowledge of a computer or computer network

- (1) This section applies if a magistrate has issued a warrant under section 465 in relation to a building, receptacle, place or vehicle (*warrant premises*).
- (2) The Magistrates' Court may, on the application of a police officer of or above the rank of senior sergeant, make an order requiring a specified person to provide any information or assistance that is reasonable and necessary to allow a police officer to do one or more of the things specified in subsection (3).
- (3) The things are—
 - (a) access data held in, or accessible from, a computer or data storage device that—
 - (i) is on warrant premises; or
 - (ii) has been seized under the warrant and is at a place other than warrant premises;
 - (b) copy to another data storage device data held in, or accessible from, a computer, or data storage device, described in paragraph (a);
 - (c) convert into documentary form or another form intelligible to a police officer—
 - (i) data held in, or accessible from, a computer, or data storage device, described in paragraph (a); or

- (ii) data held in a data storage device to which the data was copied as described in paragraph (b).
- (4) An application may be made under subsection (2) at the same time as an application is made for the warrant under section 465 or at any time after the issue of the warrant.
- (5) The Magistrates' Court may make the order if satisfied that—
 - (a) there are reasonable grounds for suspecting that data held in, or accessible from, a computer, or data storage device, described in subsection (3)(a) will afford evidence as to the commission of an indictable offence; and
 - (b) the specified person is—
 - (i) reasonably suspected of having committed an indictable offence in relation to which the warrant was issued; or
 - (ii) the owner or lessee of the computer or device; or
 - (iii) an employee of the owner or lessee of the computer or device; or
 - (iv) a person engaged under a contract for services by the owner or lessee of the computer or device; or
 - (v) a person who uses or has used the computer or device; or
 - (vi) a person who is or was a system administrator for the computer network of which the computer or device forms or formed a part; and
 - (c) the specified person has relevant knowledge of—
 - (i) the computer or device or a computer network of which the computer or device forms or formed a part; or
 - (ii) measures applied to protect data held in, or accessible from, the computer or device.
- (6) A person is not excused from complying with an order on the ground that complying with it may result in information being provided that might incriminate the person.
- (7) If—
 - (a) the computer or data storage device that is the subject of the order is seized under the warrant; and
 - (b) the order was granted on the basis of an application made before the seizure— the order does not have effect on or after the completion of the execution of the warrant.

Note

An application for another order under this section relating to the computer or data storage device may be made after the completion of the execution of the warrant.

- (8) If the computer or data storage device is not on warrant premises, the order must—

- (a) specify the period within which the person must provide the information or assistance; and
 - (b) specify the place at which the person must provide the information or assistance; and
 - (c) specify the conditions (if any) to which the requirement to provide the information or assistance is subject.
- (9) A person commits an offence if—
- (a) the person has relevant knowledge of—
 - (i) the computer or data storage device or a computer network of which the computer or data storage device forms or formed a part; or
 - (ii) measures applied to protect data held in, or accessible from, the computer or data storage device; and
 - (b) the person is informed by a police officer—
 - (i) of the order made under this section and of its terms; and
 - (ii) that it is an indictable offence punishable by imprisonment to fail to comply with the order; and
 - (c) the person fails to comply with the order without reasonable excuse.
- (10) A person who commits an offence against subsection (9) is liable to level 6 imprisonment (5 years maximum).
- (11) In this section *access*, *data*, *data held in a computer* and *data storage device* have the meanings given by section 247A(1)."

BB New section 621A inserted

After section 621 of the **Crimes Act 1958** insert—

"621A Transitional provision—Justice Legislation Amendment (Confiscation and Other Matters) Bill 2014

Section 465AA applies with respect to a warrant issued under section 465 irrespective of whether the warrant was issued before, on or after the commencement of section 69 of the **Justice Legislation Amendment (Confiscation and Other Matters) Act 2014**."

SCHEDULE 2

CRIMES AMENDMENT (SEXUAL OFFENCES AND OTHER MATTERS) BILL 2014

Amendments moved by Mr Clark

1. Clause 10, line 9, before "Any" insert "(1)".
2. Clause 10, line 28, omit '1991).'.' and insert "1991)".

3. Clause 10, after line 28 insert—

- (2) Subsection (1) does not apply to an offence if the conduct constituting it would not constitute an offence under the law of Victoria immediately before the commencement of section 11 of the **Crimes Amendment (Sexual Offences and Other Matters) Act 2014**.
- (3) Without limiting any other defence available to a person charged, because of subsection (1), with an offence of a kind described in column 1 of the Table in this subsection, the person may rely on a defence described in column 2 of that Table in relation to that offence.

Table

<i>Column 1</i>	<i>Column 2</i>
An offence against a child under the age of 16	A defence that would be available under section 45(4) of the Crimes Act 1958 if the person were charged with an offence under section 45(1) of that Act
An offence against a 16 or 17 year old child	A defence that would be available under section 48(2) of the Crimes Act 1958 if the person were charged with an offence under section 48(1) of that Act

"..

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 208, 209 and 210

No 208 — Tuesday 14 October 2014

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** — (Under SO 55).
- 3 **APPOINTMENT OF AN OFFICER OF PARLIAMENT** — The Speaker informed the House that, under s 18 of the *Parliamentary Administration Act 2005*, the Clerk of the Legislative Assembly has appointed Dr Vaughn Koops to be Assistant Clerk Committees.
- 4 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Myki Scanners and Increased Trains at Laburnum Station — Requesting that the Legislative Assembly — (a) provides additional scanners to a total of six on the city bound platform to allow large crowds of students to touch off quickly; and (b) alters express services to stop at Laburnum Station city bound, especially between 8.00 and 8.30 am, bearing 188 signatures (*Ms Hennessy*)

TAFE Funding and NMIT Campus — Requesting that the Legislative Assembly urges the Government to halt its cuts to TAFE and to ensure that the Greensborough NMIT campus is not sold off but rather is reopened and kept for training and educating future generations, bearing 191 signatures (*Mr Brooks*)

Legalising Cannabis Prescriptions — Requesting that the Legislative Assembly legalises the prescription of cannabis for the treatment of serious medical conditions, bearing 266 signatures (*Mr Languiller*)

Wild Dog Incursion on Crown Land — Requesting that the Legislative Assembly acts immediately to establish a new management regime to take decisive action to address the crisis of the incursion of wild dogs onto private property from Crown Land, bearing 537 signatures (*Mr Bull*)

Chaplaincy Services and Special Religious Instruction — Requesting that the Legislative Assembly takes note of the support from the community for the role of chaplains and wellbeing workers in schools and affirms the commitment by all parties and members to ensuring both chaplaincy services and special religious instruction remain part of our school system, bearing 1473, 1201 and 1621 signatures (*Mr Burgess, Ms Ryall and Mr Thompson, Sandringham respectively*)

Council Rates — Requesting that the Legislative Assembly legislates to cap council rates at CPI and force councils to justify any further increases, bearing 33 signatures (*Mr Pakula*)

Port of Hastings Container Port — Requesting that the Legislative Assembly takes urgent steps to consult with the Bunurong people regarding the Port of Hastings with a view to stopping the container port, bearing 48 signatures (*Mr Wynne*)

Sunbury out of Hume Process — Requesting that the Legislative Assembly reviews the current Sunbury out of Hume Process, bearing 39 signatures (*Ms Beattie*).

Petitions ordered to be tabled.

- 5 **PETITION — TAFE FUNDING AND NMIT CAMPUS** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.
- 6 **PETITION — CHAPLAINCY SERVICES AND SPECIAL RELIGIOUS INSTRUCTION** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 7 **PETITION — PORT OF HASTINGS CONTAINER PORT** — Motion made and question — That the petition presented by the Member for Richmond be taken into consideration tomorrow (*Mr Wynne*) — put and agreed to.
- 8 **PETITION — SUNBURY OUT OF HUME PROCESS** — Motion made and question — That the petition presented by the Member for Yuroke be taken into consideration tomorrow (*Ms Beattie*) — put and agreed to.
- 9 **PETITION — CHAPLAINCY SERVICES AND SPECIAL RELIGIOUS INSTRUCTION** — Motion made and question — That the petition presented by the Member for Mornington on Thursday 18 September 2014 be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 10 **PETITION — COUNCIL RATES** — Motion made and question — That the petition presented by the Member for Lyndhurst be taken into consideration tomorrow (*Mr Pakula*) — put and agreed to.

11 **DOCUMENTS**

OFFICE OF THE PUBLIC ADVOCATE — Report 2013–14 tabled by leave (*Mr Clark*).

Ordered to be printed.

HAZELWOOD COAL MINE FIRE INQUIRY VICTORIAN GOVERNMENT IMPLEMENTATION AND MONITORING PLAN — Tabled by leave (*Mr Ryan*).

Ordered to be printed.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Campbell, Deputy Chair, presented the Alert Digest No 13 of 2014 from the Scrutiny of Acts and Regulations Committee on the:

Cemeteries and Crematoria Amendment Bill 2014 (Council initiated)
 Courts Legislation Amendment (Funds in Court) Bill 2014
 Drugs, Poisons and Controlled Substances Amendment (Clinical Trials) Bill 2014
 Integrity Legislation Amendment Bill 2014
 Justice Legislation Amendment (Confiscation and Other Matters) Bill 2014
 Prevention of Cruelty to Animals Amendment (Domestic Fowl and Pigs) and Food Amendment (Free-range Eggs) Bill 2014
 Sentencing Amendment (Historical Homosexual Convictions Expungement) Bill 2014 (Assembly initiated)
 Sentencing Amendment (Historical Homosexual Convictions Expungement) Bill 2014 (Council initiated)

together with appendices.

Ordered to be tabled and printed.

PRIVILEGES COMMITTEE — Mr Walsh, Chair, presented a report from the Privileges Committee on the right of reply from Cr Geoff Lake, a person referred to in the Legislative Assembly, together with appendices.

Ordered to be tabled and printed.

PRIVILEGES COMMITTEE — Mr Walsh, Chair, presented a report from the Privileges Committee on the right of reply from Cr David Eden, Mr Nick Eden, Ms Maureen Lim and Cr Rosemary West, persons referred to in the Legislative Assembly, together with appendices.

Ordered to be tabled and printed.

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Mr Clark presented by Command of the Governor:

Magistrates' Court of Victoria — Report 2013–14

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Agricultural Industry Development Act 1990 — Orders under s 8 (two documents)

Auditor-General:

Emergency Response ICT Systems — Ordered to be printed

Heatwave Management: Reducing the Risk to Public Health — Ordered to be printed

Boort District Hospital — Report 2013–14

Confiscation Act 1997:

Asset Confiscation Operations Report 2013–14
Report 2013–14 under s 139A

Corangamite Catchment Management Authority — Report 2013–14

Coroners Court of Victoria — Report 2013–14

Coronial Council of Victoria — Report 2013–14

Crimes (Controlled Operations) Act 2004 — Report 2013–14 of the Victorian Inspectorate under s 39

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Wye River Foreshore Reserve

Duties Act 2000 — Reports 2013–14 of exemptions and refunds under ss 250B and 250DD (two documents)

East Gippsland Catchment Management Authority — Report 2013–14

Fed Square Pty Ltd — Report 2013–14

Financial Management Act 1994:

Report from the Minister for Environment and Climate Change that he had received the Report 2013–14 of the Yorta Yorta Traditional Owner Land Management Board

Reports from the Minister for Health that he had received the reports 2013–14 of the:

Tweddle Child and Family Health Service

Victorian Assisted Reproductive Treatment Authority

Victorian Pharmacy Authority

Report from the Minister for Planning that he had received the Report 2013–14 of the Heritage Council of Victoria

Health Purchasing Victoria — Report 2013–14

Heavy Vehicle National Law Application Act 2013 — Heavy Vehicle (Mass, Dimension and Loading) National Amendment Regulation

Hepburn Health Service — Report 2013–14

Heywood Rural Health — Report 2013–14

Independent Broad-based Anti-corruption Commission — Report 2013–14 — Ordered to be printed

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 117 (*Gazette G38, 18 September 2014*)

Legal Practitioners' Liability Committee — Report 2013–14

Legal Services Board and Legal Services Commissioner — Report 2013–14 — Ordered to be printed

Liquor Control Reform Act 1998 — Report 2013–14 under s 148R

Mallee Catchment Management Authority — Report 2013–14

Members of Parliament (Register of Interests) Act 1978 — Cumulative summary of returns as at 30 September 2014 — Ordered to be printed

Metropolitan Planning Authority — Report 2013–14

Moyne Health Services — Report 2013–14

Nathalia District Hospital — Report 2013–14

National Rail Safety Regulator, Office of — Report 2013–14

Parliamentary Salaries and Superannuation Act 1968 — Report 2013–14 under s 7C

Parks Victoria — Report 2013–14

Phillip Island Nature Parks — Report 2013–14

Places Victoria — Report 2013–14

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ararat — C33

Ballarat — C177
Bayside — C121
Boroondara — C150, C199
Cardinia — C187
Colac Otway — C76
Darebin — C140
Greater Bendigo — C190
Greater Shepparton — C173
Kingston — C150
Latrobe — C84
Maroondah — C92
Melbourne — C249
Moonee Valley — C120, C124
Moorabool — C72
Mornington Peninsula — C179
Nillumbik — C51, C53
Port Phillip — C110
South Gippsland — C77 Part 2
Southern Grampians — C32
Surf Coast — C98
Victoria Planning Provisions — VC112, VC114
Wangaratta — C60
West Wimmera — C31
Whittlesea — C182
Yarra Ranges — C118

Port Phillip and Westernport Catchment Management Authority — Report 2013–14

Project Development and Construction Management Act 1994 — Nomination order under s 6, application order under s 8 and a statement under s 9 of reasons for making a nomination order (three documents)

Public Prosecutions — Director, Committee and Office — Report 2013–14

Queen Elizabeth Centre — Report 2013–14

Radiation Advisory Committee — Report 2013–14

Roads Corporation (VicRoads) — Report 2013–14

Robinvale District Health Services — Report 2013–14

Royal Botanic Gardens Board — Report 2013–14

Statutory Rules under the following Acts:

Confiscation Act 1997 — SR 139
Corrections Act 1986 — SR 147
County Court Act 1958 — SR 150
Credit Act 1984 — SR 141
Credit (Administration) Act 1984 — SR 140
Crimes Act 1958 — SR 137
Criminal Organisations Control Act 2012 — SR 138
Environment Protection Act 1970 — SR 124
Fences Act 1968 — SR 122
Planning and Environment Act 1987 — SR 126

Prevention of Cruelty to Animals Act 1986 — SR 135
Road Safety Act 1986 — SRs 131, 132, 143, 144, 145, 146
Seafood Safety Act 2003 — SR 136
Sex Offenders Registration Act 2004 — SR 142
Subordinate Legislation Act 1994 — SRs 125, 127, 128, 129, 130
Supreme Court Act 1986 — SR 123
Sustainable Forests (Timber) Act 2004 — SR 134
Transport (Compliance and Miscellaneous) Act 1983 — SR 149
Valuation of Land Act 1960 — SR 148
Victorian Civil and Administrative Tribunal Act 1998 — SR 133

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 118, 122, 123, 124, 125, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 148, 149, 150

Documents under s 16B in relation to the:

Building Act 1993 — Approved competency units for the purposes of Part 12 of the Plumbing Regulations 2008

Cemeteries and Crematoria Act 2003 — Altering the fees and charges of a Class A Cemetery Trust

Education and Training Reform Act 2006 — Ministerial Order No 755

Retail Leases Act 2003 — Ministerial determination under s 5 — Premises not constituting retail premises

Sustainability Victoria — Report 2013–14

Trust for Nature (Victoria) — Report 2013–14

Victorian Building Authority — Report 2013–14

Victorian Coastal Council — Report 2013–14

Victorian Electoral Commission — Report 2013–14

Victorian Environmental Assessment Council — Report 2013–14

Victorian Equal Opportunity and Human Rights Commission — Report 2013–14 — Ordered to be printed

Victorian Health Promotion Foundation — Report 2013–14

Victorian Inspectorate — Report 2013–14

Victorian Institute of Forensic Medicine — Report 2013–14 (two documents)

Victorian Law Reform Commission — The Forfeiture Rule — Ordered to be printed

VITS LanguageLink — Report 2013–14

West Gippsland Catchment Management Authority — Report 2013–14

Wimmera Catchment Management Authority — Report 2013–14

Yarram and District Health Service — Report 2013–14

Zoological Parks and Gardens Board — Report 2013–14 (two documents).

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 8 February 2011:

Crimes Amendment (Abolition of Defensive Homicide) Act 2014 — Remaining provisions (except s 7(17)) — 1 November 2014 (*Gazette S350, 7 October 2014*)

Crimes Amendment (Protection of Children) Act 2014 — Sections 4, 5 and 6 — 27 October 2014 (*Gazette S350, 7 October 2014*)

Criminal Organisations Control and Other Acts Amendment Act 2014 — Division 3 of Part 2, Part 3 and Part 4 — 1 October 2014; Part 5 (except ss 154(2) and 155) — 31 October 2014 (*Gazette S330, 23 September 2014*)

Fences Amendments Act 2014 — Whole Act — 22 September 2014 (*Gazette S317, 16 September 2014*)

Freedom of Information and Victorian Inspectorate Acts Amendment Act 2014 — Section 28 — 7 October 2014 (*Gazette S350, 7 October 2014*)

Privacy and Data Protection Act 2014 — Remaining provisions (except Division 2 of Part 9) — 17 September 2014 (*Gazette S317, 16 September 2014*)

Sentencing Amendment (Emergency Workers) Act 2014 — Part 1, s 6 and Parts 5 and 6 — 29 September 2014; remaining provisions — 2 November 2014 (*Gazette S330, 23 September 2014*)

Sentencing Amendment (Baseline Sentences) Act 2014 — Whole Act — 2 November 2014 (*Gazette S350, 7 October 2014*)

Sustainable Forests (Timber) Amendment Act 2013 — Remaining provisions — 1 October 2014 (*Gazette S330, 23 September 2014*)

Transport Legislation Amendment (Further Taxi Reform and Other Matters) Act 2014 — Sections 22 to 24, ss 32 and 33 and Division 3 of Part 2 — 30 September 2014 (*Gazette S330, 23 September 2014*); s 53 — 30 September 2014 (*Gazette S337, 30 September 2014*)

Working with Children Amendment (Ministers of Religion and Other Matters) Act 2014 — Whole Act — 26 October 2014 (*Gazette S330, 23 September 2014*).

- 12 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Primary Industries Legislation Amendment Bill 2014

Resources Legislation Amendment (BTEX Prohibition and Other Matters) Bill 2014

Sentencing Amendment (Coward's Punch Manslaughter and Other Matters) Bill 2014.

- 13 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

On 23 September 2014

Inquiries Bill 2014

Resources Legislation Amendment (BTEX Prohibition and Other Matters) Bill 2014

Sentencing Amendment (Emergency Workers) Bill 2014

Transfer of Land Amendment Bill 2014

On 30 September 2014

Primary Industries Legislation Amendment Bill 2014

Sentencing Amendment (Coward's Punch Manslaughter and Other Matters) Bill 2014.

- 14 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Integrity Legislation Amendment Bill 2014.

- 15 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 16 **SENTENCING AMENDMENT (HISTORICAL HOMOSEXUAL CONVICTIONS EXPUNGEMENT) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Under standing orders, Mr Foley announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate continued on question — That this Bill be now read a second time.

Under standing orders, Mr Foley announced amendments to be proposed when the House considers the Bill in detail in substitution of amendments previously circulated and requested that they be circulated. Substitute amendments circulated.

Debate resumed on question — That the Bill be now read a second time.

Bill read a second time, considered in detail and agreed to with amendments, read a third time (*see pp 995–6, 997–9*).

Bill sent to the Legislative Council and their agreement requested.

- 17 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (CLINICAL TRIALS) BILL 2014** — The Deputy Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the Drugs, Poisons and Controlled Substances Act 1981 in relation to clinical trials, to make other miscellaneous and consequential amendments and for other purposes*'.

On the motion of Ms Wooldridge, the Bill was read a first time and ordered to be read a second time tomorrow.

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Casino and Gambling Legislation Amendment Bill 2014 without amendment.

- 19 **FAMILY VIOLENCE PROTECTION AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.53 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 209 — Wednesday 15 October 2014

- 1 The Speaker took the Chair and read the Prayer.
- 2 **TRANSPARENCY IN GOVERNMENT BILL 2014** — Mr Pakula obtained leave to bring in a Bill '*for an Act to require the production of information from government agencies to ensure transparency in relation to the delivery of essential services and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Unity Mining — Requesting that the Legislative Assembly instructs the Department of State Development and Business Innovation to — (a) ensure that the closure plans for the Eaglehawk, New Moon, Woodvale and Carshalton sites are completed; and (b) compel Unity Mining to commence rehabilitation of all four sites immediately after the closure plans are completed, bearing 251 signatures (*Ms Allan*)

Rail Revival Study — Requesting that the Legislative Assembly urges the Government to publicly announce its support for the Rail Revival Study to provide passenger rail services between Bendigo, Ballarat and Geelong and the intermediate communities and to make a suitable allocation in the forthcoming state budget to carry out this initiative in full, bearing 12 signatures (*Ms Edwards*)

Intersection in Eaglehawk — Requesting that the Legislative Assembly calls on the Minister for Roads to instruct VicRoads to investigate the installation of a turning arrow at the intersection of Victoria Road and High Street, Eaglehawk for traffic heading north-east along Victoria Road, bearing 58 signatures (*Ms Edwards*)

Hazardous Waste Facilities — Requesting that the Legislative Assembly determines to introduce a policy to ensure hazardous waste facilities are located in remote areas well away from populated areas, bearing 1261 signatures (*Mrs Bauer*)

Groundwater Testing in Sunshine — Requesting that the Legislative Assembly supports Sunshine residents by ensuring the Victorian Government and its authorities undertake an urgent groundwater testing regime in a 500 metre radius to the south east of the old quarry to determine the level of risk to residents' health and wellbeing, bearing 14 signatures (*Ms Thomson, Footscray*)

Strzelecki Highway — Requesting that the Legislative Assembly funds a short term remedy of reducing the speed limit to 80km/h on the Strzelecki Highway, installing flashing lights, warning signs or both, and in the long term altering the highway to avoid bends, bearing 1203 signatures (*Mr Ryan*)

Chandler Highway Bridge — Requesting that the Legislative Assembly urges the Government to provide funding for, and give a commitment to, the duplication of the Chandler Highway Bridge, bearing 8 signatures (*Mr Carbines*)

East West Link Tunnel Contracts — Requesting that the Legislative Assembly urges the Government to give Victorians the say they deserve and not sign any contracts for the East West Link Tunnel project before the 2014 State Election, bearing 1 signature (*Mr Carbines*)

40km/h Speed Zones — Requesting that the Legislative Assembly urges the Government to implement 40km/h speed zones in the key shopping centre locations of Upper Heidelberg Road, Ivanhoe, Lower Heidelberg Road in Ivanhoe East and Burgundy Street in Heidelberg, bearing 2 signatures (*Mr Carbines*)

TAFE Cuts — Requesting that the Legislative Assembly calls on the Premier to reverse the cuts to TAFE and ensure that all young people have the jobs and skill opportunities they deserve, bearing 30 signatures (*Mr Carbines*)

Rosanna Primary School — Requesting that the Legislative Assembly calls on the Government to provide \$100,000 to fund the demolition of the old classroom building at the Rosanna Primary School and contribute to landscaping costs so that current and future students at the primary school can enjoy the use of expanded playground space, bearing 210 signatures (*Mr Carbines*)

Rosanna Road — Requesting that the Legislative Assembly resolves the traffic problems on Rosanna Road including volume, congestion, trucks, noise and safety, bearing 473 signatures (*Mr Carbines*)

Mobile Phone Coverage at Walhalla — Requesting that the Legislative Assembly seeks the support of Regional Development Australia to establish mobile phone coverage at Walhalla as soon as possible, bearing 1436 signatures (*Mr Blackwood*)

William Ruthven Secondary College — Requesting that the Legislative Assembly allocates funding to rebuild William Ruthven Secondary College, bearing 227 signatures (*Mr Scott*)

Northern Metropolitan Institute of TAFE — Requesting that the Legislative Assembly increases funding to public TAFE institutes, including the Northern Metropolitan Institute of TAFE, bearing 875 signatures (*Mr Scott*)

Reservoir Station — Requesting that the Legislative Assembly funds a grade separation at Reservoir Station that separates road and rail traffic to allow both to move freely, bearing 1336 signatures (*Mr Scott*)

Barmah Forest Brumbies — Requesting that the Legislative Assembly asks the Government that — (a) any action to remove Barmah Forest brumbies cease immediately; and (b) brumbies are allowed to remain in the Barmah National Park to continue their 150 year contribution to conserve biological diversity in the forest, bearing 381 signatures (*Mr Weller*)

Lake Cooper — Requesting that the Legislative Assembly supports keeping water in Lake Cooper, bearing 339 signatures (*Mr Weller*).

Petitions ordered to be tabled.

- 4 **PETITION — CHANDLER HIGHWAY BRIDGE** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.
- 5 **PETITION — EAST WEST LINK TUNNEL CONTRACTS** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.
- 6 **PETITION — 40KM/H SPEED ZONES** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.
- 7 **PETITION — TAFE CUTS** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.
- 8 **PETITION — ROSANNA PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.
- 9 **PETITION — ROSANNA ROAD** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.
- 10 **PETITION — GROUNDWATER TESTING IN SUNSHINE** — Motion made and question — That the petition presented by the Member for Footscray be taken into consideration tomorrow (*Ms Thomson, Footscray*) — put and agreed to.

- 11 **PETITION — RAIL REVIVAL STUDY** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 12 **PETITION — INTERSECTION IN EAGLEHAWK** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 13 **PETITION — HAZARDOUS WASTE FACILITIES** — Motion made and question — That the petition presented by the Member for Carrum be taken into consideration tomorrow (*Mrs Bauer*) — put and agreed to.
- 14 **PETITION — MOBILE PHONE COVERAGE AT WALHALLA** — Motion made and question — That the petition presented by the Member for Narracan be taken into consideration tomorrow (*Mr Blackwood*) — put and agreed to.
- 15 **PETITION — BARMAH FOREST BRUMBIES** — Motion made and question — That the petition presented by the Member for Rodney be taken into consideration tomorrow (*Mr Weller*) — put and agreed to.
- 16 **PETITION — LAKE COOPER** — Motion made and question — That the petition presented by the Member for Rodney be taken into consideration tomorrow (*Mr Weller*) — put and agreed to.

17 **DOCUMENTS**

VICTORIAN FLOODS DISASTER RELIEF FUND — Report tabled by leave (*Ms Wooldridge*).

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — End of Term Report together with an appendix tabled by leave (*Mr Morris*).

Ordered to be printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Alexandra District Hospital — Report 2013–14

Ambulance Victoria — Report 2013–14

Auditor-General:

Information and Communications Technology Controls Report 2013–14 — Ordered to be printed

Mental Health Strategies for the Justice System — Ordered to be printed

Public Sector Performance Measurement and Reporting — Ordered to be printed

Bairnsdale Regional Health Service — Report 2013–14

Beechworth Health Service — Report 2013–14

Benalla Health — Report 2013–14

Central Gippsland Health Service — Report 2013–14

Cohuna District Hospital — Report 2013–14

Colac Area Health — Report 2013–14

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Ballarat Botanic and Public Gardens Reserve

Djerriwarrh Health Services — Report 2013–14

East Grampians Health Service — Report 2013–14

East Wimmera Health Service — Report 2013–14

Echuca Regional Health — Report 2013–14

Education and Early Childhood Development, Department of — Report 2013–14

Financial Management Act 1994:

Financial Report for the State of Victoria 2013–14, incorporating the Quarterly Financial Report No 4 — Ordered to be printed

Report from the Minister for Planning that he had received the Report 2013–14 of the Surveyors Registration Board of Victoria

Gippsland Southern Health Service — Report 2013–14

Harness Racing Victoria — Report 2013–14

Heathcote Health — Report 2013–14

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 135 (*Gazette G41, 9 October 2014*)

Kooweerup Regional Health Service — Report 2013–14 (two documents)

Kyabram and District Health Service — Report 2013–14

Mallee Track Health and Community Service — Report 2013–14

Maryborough District Health Service — Report 2013–14

National Parks Advisory Council — Report 2013–14

Ombudsman — Investigation following concerns raised by Community Visitors about a mental health facility — Ordered to be printed

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2014–15 Budget Estimates — Part One

South West Healthcare — Report 2013–14

State Development, Business and Innovation, Department of — Report 2013–14

Statutory Rules under the following Acts:

Estate Agents Act 1980 — SR 153

Infringements Act 2006 — SR 152

Mineral Resources (Sustainable Development) Act 1990 — SR 154

Victorian Inspectorate Act 2011 — SR 151

Wildlife Act 1975 — SR 155

Stawell Regional Health — Report 2013–14

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 151, 152, 153, 154

Documents under s 16B in relation to:

Education and Training Reform Act 2006 — Ministerial Order No 790

Environment Protection Act 1970 — Variation to the Best Practice Environmental Management — Siting, Design, Operation and Rehabilitation of Landfills (EPA Victoria Publication 788)

Surveillance Devices Act 1999 — Report 2013–14 under s 30L

Swan Hill District Health — Report 2013–14

Treasury and Finance, Department of — Report 2013–14

Victims of Crime Assistance Tribunal — Report 2013–14

Victoria State Emergency Service Authority — Report 2013–14

Victorian Multicultural Commission — Report 2013–14

Western District Health Service — Report 2013–14

Wimmera Health Care Group — Report 2013–14.

18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment (Confiscation and Other Matters) Bill 2014 without amendment.

19 **STATEMENTS BY MEMBERS** — Statements by members were made.

20 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT ACHIEVEMENTS** — The House was informed that Mr Ryan had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House congratulates the Liberal National Coalition Government for having fixed the problems which were the legacy of the former Labor Government while also building for the future of a prosperous and growing Victoria.'

Mr Ryan addressed the House — Discussion followed.

Business having been interrupted at 2.00 pm under standing orders.

21 **QUESTIONS** — (Under SO 55).

22 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT ACHIEVEMENTS** — Discussion continued on the Matter of Public Importance — Government Achievements.

23 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's End of Term Report

Economic Development, Infrastructure and Outer Suburban/Interface Services Committee's Report on the Inquiry into marine rescue services in Victoria

Family and Community Development Committee's Report on the Inquiry into Social Inclusion and Victorians with a Disability.

- 24 **FAMILY VIOLENCE PROTECTION AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time, considered in detail and agreed to without amendment, read a third time (*see p 996*).

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

- 25 **JUSTICE LEGISLATION AMENDMENT (SUCCESSION AND SURROGACY) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 10.00 pm under sessional orders.

- 26 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.46 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

No 210 — Thursday 16 October 2014

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Sebastopol's Phoenix Secondary Campus Funding — Requesting that the Legislative Assembly calls on the Government to match Labor's commitment to fund the completion of Sebastopol's Phoenix P-12 College Secondary Campus, bearing 97 signatures (*Mr Howard*)

Zoning in Buninyong — Requesting that the Legislative Assembly reverses the decision that allows developers to subdivide to lots of 300 square metres and instead protect minimum lot sizes of 800 square metres for Buninyong, bearing 71 signatures (*Mr Howard*)

Phoenix Community College Funding in State Budget — Requesting that the Legislative Assembly calls on the Government to fund the Phoenix P-12 Community College Secondary Campus in the upcoming state budget, bearing 27 signatures (*Ms Knight*)

CFA Funding Cuts — Requesting that the Legislative Assembly condemns the Government for cuts to the CFA, bearing 43 signatures (*Ms Knight*)

Ballarat Paramedic Services — Requesting that the Legislative Assembly urges the Government to immediately address the failure to provide Ballarat with the continuous coverage of professional paramedic services it needs, bearing 54 signatures (*Ms Knight*)

Rail to Doncaster Budget — Requesting that the Legislative Assembly — (a) funds a railway line to Doncaster; and (b) gives a firm undertaking on a budget timetable for delivering rail to Doncaster, bearing 11 signatures (*Mr Kotsiras*)

Funding Railway Line to Doncaster — Requesting that the Legislative Assembly — (a) funds a railway line to Doncaster; and (b) gives a firm undertaking on a budget timetable for delivering rail to Doncaster, followed by the de-coupling of South Morang, bearing 9 signatures (*Mr Kotsiras*)

Chaplaincy Services and Special Religious Instruction — Requesting that the Legislative Assembly takes note of the support from the community for the role of chaplains and wellbeing workers in schools and affirms the commitment by all parties and members to ensuring both chaplaincy services and special religious instruction remain part of our school system, bearing 1431, 1511, 1973 and 2497 signatures (*Mr Watt, Mr Southwick, Mr Battin and Mr Gidley respectively*)

Kingston Council Green Wedge Rezoning — Requesting that the Legislative Assembly does not authorise planning scheme amendments to allow Kingston Council to rezone the Green Wedge for residential development, bearing 138 signatures (*Mr Lim*)

Intervention Orders — Requesting that the Legislative Assembly takes action to review — (a) the use and effectiveness of intervention orders; (b) whether the intervention orders available to the courts are adequate to provide protection for victims of family violence; and (c) whether the responses to breaches of intervention orders are appropriate, bearing 1660 signatures (*Mr Languiller*)

Retirement Villages Rates — Requesting that the Legislative Assembly introduces legislation requiring local government rates be adjusted for retirement villages across Victoria, bearing 80 signatures (*Mr Battin*)

Firefighters with Cancer — Requesting that the Legislative Assembly changes Victorian laws so that current and former serving Victorian firefighters who develop one of 12 prescribed cancers be presumed to have developed the disease as a result of their duties, and so obtain access to full compensation entitlements, bearing 8094 and 7816 signatures (*Mr Burgess and Mr Donnellan respectively*)

Caroline Springs Secondary School — Requesting that the Legislative Assembly commences planning and construction of a year 10–12 secondary school in the municipalities of Caroline Springs and Taylors Hill, bearing 1540 signatures (*Ms Hutchins*)

Water (Long Service Leave) Regulations 2011 — Requesting that the Legislative Assembly supports injured workers by repealing the amendment to the Water (Long Service Leave) Regulations 2011 dated 8 July 2014, bearing 345 signatures (*Ms Hutchins*)

New Gisborne Primary School Art Room Funding — Requesting that the Legislative Assembly — (a) seeks an assurance from the Minister for Education that rebuilding the art room at New Gisborne Primary School is a priority; and (b) calls on the Minister to provide a detailed timeline of works to the New Gisborne School Council, with works commencing no later than the end of the 2014 calendar year, bearing 577 signatures (*Ms Duncan*)

Epping Road Bus Service Funding — Requesting that the Legislative Assembly immediately funds a bus service along Epping Road into the Eucalypt Estate in Wollert, bearing 136 signatures (*Ms D'Ambrosio*)

Biofuels — Requesting that the Legislative Assembly allocates funding to the research and implementation of biofuels, and promotes the use of biofuels to the public, bearing 377 signatures (*Mr Gidley*)

Abortion Act Repeal — Requesting that the Legislative Assembly repeals the current abortion laws, bearing 1128 signatures (*Mr Gidley*)

Abortion Law Reform Act 2008 Replacement — Requesting that the Legislative Assembly repeals the *Abortion Law Reform Act 2008* and replaces it with proper legal protection and support for children before birth and their mothers, bearing 500 signatures (*Mr Gidley*)

Council Rates — Requesting that the Legislative Assembly legislates to cap council rates at CPI and forces councils to justify any further increases, bearing 213 signatures (*Ms Graley*)

Pound and Shrives Road Hampton Park Funding — Requesting that the Legislative Assembly urges the Government to provide a funding commitment for safety improvements at the intersection of Pound and Shrives Roads in Hampton Park, bearing 89 signatures (*Ms Graley*)

Newman Street and Keilor Road Intersection — Requesting that the Legislative Assembly urges the Government and Minister for Transport to address the lack of adequate traffic management measures at the Newman Street and Keilor Road intersection in Niddrie, bearing 916 signatures (*Mr Carroll*)

Chandler Highway Bridge — Requesting that the Legislative Assembly urges the Government to provide funding for, and give a commitment to, the duplication of the Chandler Highway Bridge, bearing 54 signatures (*Ms Richardson*)

Yan Yean Road Upgrade — Requesting that the Legislative Assembly urges the Government to fund the upgrade of Yan Yean Road, bearing 78 signatures (*Ms Green*)

School Bus Services in Melbourne's North — Requesting that the Legislative Assembly urges the Government to reinstate existing school bus services and to improve local transport options in Nillumbik, with more bus services and upgrades to cycle and footpaths such as the Hurstbridge rail trail, bearing 33 signatures (*Ms Green*)

Pedestrian Safety in Doreen and Mernda — Requesting that the Legislative Assembly urges the Government to fund new bus services and footpaths to enable students to walk or cycle in Doreen and Mernda, bearing 12 signatures (*Ms Green*)

Police Station for Mernda and Doreen — Requesting that the Legislative Assembly urges the Government to fund a new 24 hour police station to cover the policing needs for the growing suburbs of Mernda and Doreen, bearing 11 signatures (*Ms Green*)

Police Resources for Whittlesea — Requesting that the Legislative Assembly urges the Government to work with the local community to upgrade police resources serving the north of the City of Whittlesea, bearing 20 signatures (*Ms Green*).

Petitions ordered to be tabled.

- 3 **PETITION — SEBASTOPOL'S PHOENIX SECONDARY CAMPUS FUNDING** — Motion made and question — That the petition presented by the Member for Ballarat East be taken into consideration tomorrow (*Mr Howard*) — put and agreed to.
- 4 **PETITION — ZONING IN BUNINYONG** — Motion made and question — That the petition presented by the Member for Ballarat East be taken into consideration tomorrow (*Mr Howard*) — put and agreed to.
- 5 **PETITION — PHOENIX COMMUNITY COLLEGE FUNDING IN STATE BUDGET** — Motion made and question — That the petition presented by the Member for Ballarat West be taken into consideration tomorrow (*Ms Knight*) — put and agreed to.

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- 6 **PETITION — CFA FUNDING CUTS** — Motion made and question — That the petition presented by the Member for Ballarat West be taken into consideration tomorrow (*Ms Knight*) — put and agreed to.
- 7 **PETITION — BALLARAT PARAMEDIC SERVICES** — Motion made and question — That the petition presented by the Member for Ballarat West be taken into consideration tomorrow (*Ms Knight*) — put and agreed to.
- 8 **PETITION — CHAPLAINCY SERVICES AND SPECIAL RELIGIOUS INSTRUCTION** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.
- 9 **PETITION — YAN YEAN ROAD UPGRADE** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 10 **PETITION — SCHOOL BUS SERVICES IN MELBOURNE'S NORTH** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 11 **PETITION — PEDESTRIAN SAFETY IN DOREEN AND MERNDA** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 12 **PETITION — POLICE STATION FOR MERNDA AND DOREEN** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 13 **PETITION — POLICE RESOURCES FOR WHITTLESEA** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 14 **PETITION — CHAPLAINCY SERVICES AND SPECIAL RELIGIOUS INSTRUCTION** — Motion made and question — That the petition presented by the Member for Gembrook be taken into consideration tomorrow (*Mr Battin*) — put and agreed to.
- 15 **PETITION — RETIREMENT VILLAGES RATES** — Motion made and question — That the petition presented by the Member for Gembrook be taken into consideration tomorrow (*Mr Battin*) — put and agreed to.
- 16 **PETITION — EPPING ROAD BUS SERVICE FUNDING** — Motion made and question — That the petition presented by the Member for Mill Park be taken into consideration tomorrow (*Ms D'Ambrosio*) — put and agreed to.
- 17 **PETITION — CHAPLAINCY SERVICES AND SPECIAL RELIGIOUS INSTRUCTION** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.
- 18 **PETITION — KINGSTON COUNCIL GREEN WEDGE REZONING** — Motion made and question — That the petition presented by the Member for Clayton be taken into consideration tomorrow (*Mr Lim*) — put and agreed to.
- 19 **PETITION — NEW GISBORNE PRIMARY SCHOOL ART ROOM FUNDING** — Motion made and question — That the petition presented by the Member for Macedon be taken into consideration tomorrow (*Ms Duncan*) — put and agreed to.

- 20 **PETITION — NEWMAN STREET AND KEILOR ROAD INTERSECTION** — Motion made and question — That the petition presented by the Member for Niddrie be taken into consideration tomorrow (*Mr Carroll*) — put and agreed to.
- 21 **PETITION — CAROLINE SPRINGS SECONDARY SCHOOL** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.
- 22 **PETITION — WATER (LONG SERVICE LEAVE) REGULATIONS 2011** — Motion made and question — That the petition presented by the Member for Keilor be taken into consideration tomorrow (*Ms Hutchins*) — put and agreed to.
- 23 **PETITION — CHAPLAINCY SERVICES AND SPECIAL RELIGIOUS INSTRUCTION** — Motion made and question — That the petition presented by the Member for Mount Waverley be taken into consideration tomorrow (*Mr Gidley*) — put and agreed to.
- 24 **PETITION — BIOFUELS** — Motion made and question — That the petition presented by the Member for Mount Waverley be taken into consideration tomorrow (*Mr Gidley*) — put and agreed to.
- 25 **PETITION — ABORTION ACT REPEAL** — Motion made and question — That the petition presented by the Member for Mount Waverley be taken into consideration tomorrow (*Mr Gidley*) — put and agreed to.
- 26 **PETITION — ABORTION LAW REFORM ACT 2008 REPLACEMENT** — Motion made and question — That the petition presented by the Member for Mount Waverley be taken into consideration tomorrow (*Mr Gidley*) — put and agreed to.
- 27 **PETITION — COUNCIL RATES** — Motion made and question — That the petition presented by the Member for Narre Warren South be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.
- 28 **PETITION — POUND AND SHRIVES ROAD, HAMPTON PARK FUNDING** — Motion made and question — That the petition presented by the Member for Narre Warren South be taken into consideration tomorrow (*Ms Graley*) — put and agreed to.
- 29 **PETITION — FIREFIGHTERS WITH CANCER** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 30 **PETITION — FIREFIGHTERS WITH CANCER** — Motion made and question — That the petition presented by the Member for Narre Warren North be taken into consideration tomorrow (*Mr Donnellan*) — put and agreed to.

31 **DOCUMENTS**

STANDING ORDERS COMMITTEE — Ms Asher presented a report from the Standing Orders Committee on the establishment of an independent Parliamentary Commissioner for Standards in Victoria.

Ordered to be tabled and printed.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Albury Wodonga Health — Report 2013–14

Alfred Health — Report 2013–14

Auditor-General:

Report on the Annual Financial Report of the State of Victoria, 2013–14 — Ordered to be printed
Report 2013–14

Austin Health — Report 2013–14

Ballarat Health Services — Report 2013–14

Barwon Health — Report 2013–14

Bass Coast Regional Health — Report 2013–14

Bendigo Health Care Group — Report 2013–14

Castlemaine Health — Report 2013–14

Consumer Affairs Victoria — Report 2013–14 — Ordered to be printed

Country Fire Authority — Report 2013–14

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Geelong Telegraph Station Reserve

Eastern Health — Report 2013–14

Financial Management Act 1994:

Reports from the Minister for Environment and Climate Change that he had received the reports 2013–14 of the:

Alpine Resorts Co-ordinating Council

Barwon Regional Waste Management Group

Central Murray Regional Waste Management Group

Commissioner for Environmental Sustainability

Desert Fringe Regional Waste Management Group

Gippsland Regional Waste Management Group

Goulburn Valley Regional Waste Management Group

Grampians Regional Waste Management Group

Gunaikurnai Traditional Owner Land Management Board

Highlands Regional Waste Management Group

Mildura Regional Waste Management Group

Mornington Peninsula Regional Waste Management Group

North East Victorian Regional Waste Management Group

South Western Regional Waste Management Group

Victorian Environmental Water Holder

Freedom of Information Commissioner — Report 2013–14

Goulburn Valley Health — Report 2013–14

Greyhound Racing Victoria — Report 2013–14

Health, Department of — Report 2013–14

Justice, Department of — Report 2013–14

Kerang District Health — Report 2013–14

Kilmore and District Hospital — Report 2013–14

Kyneton District Health Service — Report 2013–14

Latrobe Regional Hospital — Report 2013–14

Melbourne Health — Report 2013–14

Mercy Public Hospitals Inc — Report 2013–14

Monash Health — Report 2013–14

Northeast Health Wangaratta — Report 2013–14

Northern Health — Report 2013–14

Peninsula Health — Report 2013–14

Peter MacCallum Cancer Centre — Report 2013–14

Portland District Health — Report 2013–14

Residential Tenancies Bond Authority — Report 2013–14

Royal Children's Hospital — Report 2013–14

Royal Victorian Eye and Ear Hospital — Report 2013–14

Royal Women's Hospital — Report 2013–14

St Vincent's Hospital (Melbourne) Ltd — Report 2013–14

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rule 126

Documents under s 16B in relation to the *Liquor Control Reform Act 1998* — Ministerial direction to complete an approved advanced responsible service of alcohol program

Transport, Planning and Local Infrastructure, Department of — Report 2013–14

Upper Murray Health and Community Services — Report 2013–14

Victoria Police — Report 2013–14

Victorian Commission for Gambling and Liquor Regulation — Report 2013–14

Victorian Industry Participation Policy — Report 2013–14

Victorian Inspectorate — Report 2013–14 under s 131T of the *Fisheries Act 1995* and s 74P of the *Wildlife Act 1975*

Victorian Responsible Gambling Foundation — Report 2013–14

West Gippsland Healthcare Group — Report 2013–14

Western Health — Report 2013–14.

- 32 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Crimes Amendment (Sexual Offences and Other Matters) Bill 2014

Sentencing Amendment (Historical Homosexual Convictions Expungement) Bill 2014.

- 33 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until a day and hour to be fixed by the Speaker, which time of meeting shall be notified in writing to each member of the House (*Ms Asher*) — put and agreed to.

- 34 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 35 **JUSTICE LEGISLATION AMENDMENT (SUCCESSION AND SURROGACY) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 36 **SEX OFFENDERS REGISTRATION AMENDMENT BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

- 37 **VALEDICTORY STATEMENTS** — By leave, retiring members made valedictory statements.

Business having been interrupted at 2.00 pm under standing orders.

- 38 **QUESTIONS** — (Under SO 55).

- 39 **VALEDICTORY STATEMENTS** — Retiring members' valedictory statements resumed.

- 40 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Emergency Management Amendment (Critical Infrastructure Resilience) Bill 2014

Improving Cancer Outcomes Bill 2014.

- 41 **JUSTICE LEGISLATION AMENDMENT (SUCCESSION AND SURROGACY) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

Business having been interrupted at 4.00 pm under sessional orders.

- 42 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 4.33 pm.

R W PURDEY
Clerk of the Legislative Assembly

CHRISTINE FYFFE
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 208, 209 and 210

No 208 — Tuesday 14 October 2014

SENTENCING AMENDMENT (HISTORICAL HOMOSEXUAL CONVICTIONS EXPUNGEMENT) BILL 2014

Motion made, by leave, and question — That the scope of the Sentencing Amendment (Historical Homosexual Convictions Expungement) Bill 2014 be extended to enable consideration of amendments and new clauses to provide for the inclusion of expunged homosexual conviction in the list of attributes on the basis of which discrimination is prohibited under the *Equal Opportunity Act 2010 (Mr Foley)* — put and agreed to.

Clause 1, Mr Foley moved amendment No 1 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 2 agreed to.

Clause 3, Mr Foley moved amendment Nos 2 to 30 (*see Schedule*).

Amendments put and agreed to.

Clause agreed to as amended.

Clause 4 agreed to.

Part heading preceding Clause 5, Mr Foley moved amendment No 31 (*see Schedule*).

Amendment put and agreed to.

Part heading agreed to as amended.

Part 3, new Division 1 heading, Mr Foley moved amendment No 32 (*see Schedule*).

Heading agreed to and added to the bill.

Clause 5 agreed to.

Part 3, new Division 2 heading, Mr Foley moved amendment No 33 (*see Schedule*).

Heading agreed to and added to the bill.

Clause 6 agreed to.

New clauses AA and BB, Mr Foley moved new clauses AA and BB (*see Schedule*).

New clauses agreed to and added to the bill.

Amendment of long title, Mr Foley moved amendment No 35 (*see Schedule*).

Amendment put and agreed to.

Long title agreed to as amended.

Bill agreed to as amended.

No 209 — Wednesday 15 October 2014

FAMILY VIOLENCE PROTECTION AMENDMENT BILL 2014

Clause 1 agreed to.

Clause 2 agreed to.

Clause 3 agreed to.

Clauses 4 to 6 agreed to.

Clause 7 agreed to.

Clause 8 agreed to.

Clauses 9 to 17 agreed to.

Clause 18 agreed to.

Clause 19 agreed to.

Clauses 20 to 28 agreed to.

Bill agreed to without amendment.

SCHEDULE OF AMENDMENTS MOVED

SENTENCING AMENDMENT (HISTORICAL HOMOSEXUAL CONVICTIONS EXPUNGEMENT) BILL 2014

Amendments and new clauses moved by Mr Foley

1. Clause 1, page 2, line 2, after "expunged" insert "on the basis that it is generally accepted that consensual sex of a homosexual nature between adults should never have been a crime".
2. Clause 3, after line 8 insert—

"applicant means—

- (a) a person referred to in section 105B(1) who may make an application under that subsection; or
- (b) if a person referred to in section 105B(1) is unable to make an application under that subsection because of a disability within the meaning of the **Equal Opportunity Act 2010**, the person's litigation guardian or guardian with the meaning of the **Guardianship and Administration Act 1986**; or
- (c) a person referred to in section 105B(2) who may make an application under that subsection in respect of an entitled person who is deceased;".

3. Clause 3, after line 10 insert—

"appropriate representative, of a person who was convicted of a historical homosexual offence and is deceased, means—

- (a) if the person, immediately before death had a spouse or domestic partner—the spouse or domestic partner of the person; or
- (b) if the person immediately before death did not have a spouse or domestic partner or if the spouse or domestic partner is not available—a son or daughter of the person of or over the age of 18 years; or
- (c) if a spouse, domestic partner, son or daughter is not available—a parent of the person; or
- (d) if a spouse, domestic partner, son, daughter or parent is not available—a sibling of the person of or over the age of 18 years;
- (e) if a spouse, domestic partner, son, daughter, parent or sibling is not available—a person named in the will of the person as an executor; or
- (f) if a spouse, domestic partner, son, daughter, parent, sibling or executor is not available—a person who, immediately before the death, was a personal representative of the person;
- (g) if a spouse, domestic partner, son, daughter, parent, sibling, executor or personal representative is not available—a person determined to be the appropriate representative under subsection (3);".

4. Clause 3, page 4, after line 5 insert—

"domestic partner, of an entitled person who is deceased, means—

- (a) a person who was at the date of death of the entitled person in a registered domestic relationship with the entitled person; or
- (b) an adult person to whom the entitled person was not married but with whom the entitled person was in a relationship as a couple where one or each of them provided personal or financial commitment and support of a domestic nature for the material benefit of the other, irrespective of their genders and whether

or not they were living under the same roof, but does not include a person who provided domestic support and personal care to the entitled person—

- (i) for fee or reward; or
- (ii) on behalf of another person or an organisation (including a government or government agency, a body corporate or a charitable or benevolent organisation);

entitled person means—

- (a) a person referred to in section 105B(1); or
- (b) a person who was convicted of a historical homosexual offence and is deceased;"

5. Clause 3, page 6, after line 4 insert—

"(2) For the purposes of the definition of *domestic partner* in subsection (1)—

- (a) *registered domestic relationship* has the same meaning as in the **Relationships Act 2008**; and
- (b) in determining whether persons who were not in a registered domestic relationship were domestic partners of each other, all the circumstances of their relationship are to be taken into account, including any one or more of the matters referred to in section 35(2) of the **Relationships Act 2008** as may be relevant in a particular case; and
- (c) a person was not a domestic partner of another person only because they were co-tenants.

(3) For the purposes of paragraph (g) of the definition of *appropriate representative*, a person is the appropriate representative if the Secretary determines that the person should be taken to be the appropriate representative of the deceased person because of the closeness of the person's relationship with the deceased person immediately before his or her death."

6. Clause 3, page 6, line 5, omit "(2)" and insert "(4)".

7. Clause 3, page 6, after line 25 insert—

"(2) In addition, an appropriate representative of a person who was convicted of a historical homosexual offence and is deceased may apply to the Secretary for the person's conviction to be expunged."

8. Clause 3, page 6, line 26, omit "(2)" and insert "(3)".

9. Clause 3, page 6, line 31, after "applicant" insert " is an entitled person who is not deceased but".

10. Clause 3, page 7, line 12, omit "(3)" and insert "(4)".

11. Clause 3, page 7, line 14, omit "applicant" and insert "entitled person".

12. Clause 3, page 7, line 15, omit "applicant" and insert "entitled person".

13. Clause 3, page 7, line 20, omit "applicant" and insert "entitled person".

14. Clause 3, page 7, line 21, omit "applicant" and insert "entitled person".

15. Clause 3, page 7, line 27, omit "applicant" and insert "entitled person".

16. Clause 3, page 8, line 2, omit "applicant" and insert "entitled person".

17. Clause 3, page 8, line 8, omit "(4)" and insert "(5)".

18. Clause 3, page 8, line 11, omit "applicant" and insert "entitled person".
19. Clause 3, page 8, line 21, omit "(5)" and insert "(6)".
20. Clause 3, page 8, line 28, omit "(6)" and insert "(7)".
21. Clause 3, page 9, line 13, omit "105B(5)" and insert "105B(6)".
22. Clause 3, page 9, line 32, omit "105B(5)" and insert "105B(6)".
23. Clause 3, page 10, line 25, omit "105B(4)(b)" and insert "105B(5)(b)".
24. Clause 3, page 11, line 13, omit "105B(5)" and insert "105B(6)".
25. Clause 3, page 12, line 25, omit "applicant" and insert "entitled person".
26. Clause 3, page 12, line 26, omit "applicant" and insert "entitled person".
27. Clause 3, page 12, line 29, omit "applicant" and insert "entitled person".
28. Clause 3, page 13, line 2, omit "applicant at the time of making" and insert "entitled person at the time of the making of".
29. Clause 3, page 13, line 12, omit "applicant" and insert "entitled person".
30. Clause 3, page 13, line 26, omit "applicant" and insert "entitled person".
31. Part heading preceding clause 5, omit "**VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL ACT 1998**" and insert "**OTHER ACTS**".
32. Page 25, after line 2 insert the following heading—

"Division 1—Amendment of Victorian Civil and Administrative Tribunal Act 1998".

33. Page 27, after line 12 insert the following heading—

"Division 2—Amendment of Equal Opportunity Act 2010".

NEW CLAUSES

34. Insert the following new clauses to follow clause 5 and heading proposed by amendment 33—

'AA Definitions

In section 4(1) of the **Equal Opportunity Act 2010** insert the following definition—

"expunged homosexual conviction means an *expunged conviction* within the meaning of Part 8 of the **Sentencing Act 1991**;"

BB Attributes

After section 6(p) of the **Equal Opportunity Act 2010** insert—

"(pa) an expunged homosexual conviction;"

AMENDMENT OF LONG TITLE

35. Long title, after "**1998**" insert "and the **Equal Opportunity Act 2010**".

SESSION 2010–14
MESSAGES RECEIVED AFTER THE ADJOURNMENT OF
THE HOUSE ON 16 OCTOBER 2014

MESSAGE FROM THE LEGISLATIVE COUNCIL

Agreeing to the following bill, on 16 October 2014, without amendment:

Drugs, Poisons and Controlled Substances Further Amendment Bill 2014

MESSAGE FROM THE LIEUTENANT-GOVERNOR

Informing the Assembly that she had, on 21 October 2014, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Casino and Gambling Legislation Amendment Bill 2014
Crimes Amendment (Sexual Offences and Other Matters) Bill 2014
Drugs, Poisons and Controlled Substances Further Amendment Bill 2014
Emergency Management Amendment (Critical Infrastructure Resilience) Bill 2014
Family Violence Protection Amendment Bill 2014
Improving Cancer Outcomes Bill 2014
Justice Legislation Amendment (Confiscation and Other Matters) Bill 2014
Justice Legislation Amendment (Succession and Surrogacy) Bill 2014
Sentencing Amendment (Historical Homosexual Convictions Expungement) Bill 2014
Sex Offenders Registration Amendment Bill 2014



Victoria Government Gazette

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Constitution Act 1975

PROCLAMATION

I, Alex Chernov, AC QC, Governor of Victoria, with the advice of the Premier, the Honourable Dr Denis Naphthine MP, do, by this Proclamation, declare that I have today ordered that the Writs be issued according to law for an election of Members to serve in the Legislative Assembly and for Members to serve in the Legislative Council.

Given under my Hand and the Seal of the State of Victoria on this fourth day of November 2014.

(L.S.)

ALEX CHERNOV

Governor

By His Excellency's Command

DENIS NAPHTHINE

Premier of Victoria

NOTICE OF ELECTION

I give notice that the Governor of Victoria has issued writs for an election of Members to serve in the Legislative Assembly of Victoria, and for members to serve in the Legislative Council of Victoria, specifying the following dates:

Date of issue of writs	4 November 2014
Date for the close of the rolls	11 November 2014
Final nomination day	14 November 2014
Election day	29 November 2014
Return of the writs	On or before 20 December 2014

By His Excellency's Command
The Governor's Office
4 November 2014

YVETTE CARISBROOKE
Clerk of the Executive Council

SPECIAL

COMMITTEES**SESSION 2010–14****ACCOUNTABILITY AND OVERSIGHT (JOINT)**

(Assembly members appointed 7 February 2013 unless otherwise indicated)

Ms Kanis

Mr McIntosh *(appointed 26 June 2013)*

Ms Neville *(appointed 27 June 2013)*

Ms Richardson *(resigned 27 June 2013)*

Mr Wakeling *(resigned 25 June 2013, see p 630)*

DISPUTE RESOLUTION (JOINT)

(Assembly members appointed 7 April 2011 unless otherwise indicated)

Ms Allan *(discharged 24 May 2012) (appointed 17 April 2013)*

Ms Asher *(appointed 17 April 2013)*

Mr Clark

Ms Hennessy

Mr Holding *(resigned seat 18 February 2013)*

Mr McIntosh *(discharged 17 April 2013)*

Mr Merlino *(appointed 24 May 2012)*

Dr Napthine *(discharged 17 April 2013)*

Mr O'Brien *(appointed 17 April 2013)*

Mr Walsh

DRUGS AND CRIME PREVENTION (JOINT)

(Assembly members appointed 10 February 2011 unless otherwise indicated)

(Committee abolished 31 July 2013)

Mr Battin

Mr McCurdy

ECONOMIC DEVELOPMENT AND INFRASTRUCTURE (JOINT)

(Assembly members appointed 5 May 2011 unless otherwise indicated)

(Committee abolished 31 July 2013)

Mr Burgess

Mr Carroll *(appointed 14 August 2012)*

Mr Foley

Mrs Fyffe *(appointed 21 March 2013)*

Mr Noonan *(resigned 14 August 2012)*

Mr Shaw

ECONOMIC DEVELOPMENT, INFRASTRUCTURE AND OUTER SUBURBAN/INTERFACE SERVICES (JOINT)

(Assembly members appointed by resolution on 26 June 2013 contingent upon the Parliamentary Committees Amendment Act 2013 coming into operation)

Mr Burgess
 Mr Carroll *(resigned 20 August 2013, see p 649)*
 Mr Foley *(resigned 3 September 2013, see p 660)*
 Mrs Fyffe *(resigned 6 February 2014)*
 Mr McGuire *(appointed 21 August 2013)*
 Mr Shaw *(resigned 20 March 2014)*

EDUCATION AND TRAINING (JOINT)

(Assembly members appointed 10 February 2011 unless otherwise indicated)

Mr Battin *(appointed 26 June 2013) (resigned 3 September 2013, see p 660)*
 Mr Brooks *(appointed 26 June 2013)*
 Mr Crisp
 Ms Miller *(resigned 25 June 2013, see p 630)*
 Mr Southwick *(resigned 25 June 2013, see p 630)*

ELECTORAL MATTERS (JOINT)

(Assembly members appointed 10 February 2011 unless otherwise indicated)

Mr Delahunty *(appointed 25 March 2014)*
 Mr Northe *(appointed 26 June 2013) (resigned 14 March 2014, see p 813)*
 Ms Ryall *(resigned 25 June 2013, see p 630)*
 Ms Victoria *(resigned 18 March 2013, see p 555)*

ENVIRONMENT AND NATURAL RESOURCES (JOINT)

(Assembly members appointed 5 May 2011 unless otherwise indicated)

Mr Bull *(resigned 19 March 2014, see p 813)*
 Ms Duncan
 Mr Pandazopoulos
 Ms Wreford

FAMILY AND COMMUNITY DEVELOPMENT (JOINT)

(Assembly members appointed 5 May 2011 unless otherwise indicated)

Mrs Bauer *(resigned 9 October 2012, see p 446)*
 Ms Halfpenny
 Mr Madden *(appointed 20 February 2014)*
 Mr McGuire *(resigned 19 February 2014, see p 787)*
 Mrs Powell *(appointed 25 March 2014)*
 Ms Ryall *(appointed 20 February 2014)*
 Mr Wakeling *(resigned 19 February 2014, see p 787)*

HOUSE (JOINT)

(Assembly members appointed 7 April 2011 unless otherwise indicated)

Ms Beattie
Mr Blackwood *(appointed 5 February 2014)*
Mr Burgess *(appointed 17 April 2013)*
Ms Campbell
Mrs Fyffe *(discharged 5 February 2014 then ex-officio member as Speaker)*
Ms Graley *(discharged 26 June 2013)*
Mr Smith *(Bass) (ex-officio member as Speaker until 4 February 2014)*
Ms Thomson *(Footscray) (appointed 26 June 2013)*
Mr Wakeling *(discharged 17 April 2013)*
Mr Weller

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMITTEE (JOINT)

(Assembly members appointed 7 February 2013 unless otherwise indicated)

Ms Hennessy *(resigned 25 March 2014)*
Ms Kanis *(appointed 25 March 2014)*
Mr Kotsiras *(appointed 25 March 2014)*
Mr McIntosh *(appointed 26 June 2013)*
Mr Newton-Brown *(resigned 21 March 2014, see p 814)*
Mr Weller

LAW REFORM (JOINT)

(Assembly members appointed 5 May 2011 unless otherwise indicated)

(Committee abolished 31 July 2013)

Mr Carbines
Ms Garrett
Mr Newton-Brown
Mr Northe

LAW REFORM, DRUGS AND CRIME PREVENTION (JOINT)

(Assembly members appointed by resolution on 26 June 2013 contingent upon the Parliamentary Committees Amendment Act 2013 coming into operation)

Mr Carroll
Mr McCurdy
Mr Southwick

OUTER SUBURBAN/INTERFACE SERVICES AND DEVELOPMENT (JOINT)

(Assembly members appointed 10 February 2011 unless otherwise indicated)

(Committee abolished 31 July 2013)

Ms Graley
Ms Hutchins
Ms McLeish *(resigned 27 June 2013)*

PRIVILEGES

(Members appointed 7 April 2011 unless otherwise indicated)

Ms Barker
Mr Clark
Ms Green
Mr Hodgett *(appointed 16 April 2013)*
Mr McIntosh *(discharged 16 April 2013)*
Mr Morris
Dr Napthine *(discharged 7 March 2013)*
Mr Nardella
Mr O'Brien *(appointed 7 March 2013)*
Mr Pandazopoulos
Mr Walsh

PUBLIC ACCOUNTS AND ESTIMATES (JOINT)

(Assembly members appointed 10 February 2011 unless otherwise indicated)

Mr Angus
Ms Garrett *(appointed 20 February 2014)*
Ms Hennessy *(resigned 19 February 2014, see p 787)*
Mr Morris
Mr Pakula *(appointed 7 May 2013)*
Mr Scott

ROAD SAFETY (JOINT)

(Assembly members appointed 5 May 2011 unless otherwise indicated)

Mr Languiller
Mr Perera
Mr Tilley
Mr Thompson *(Sandringham)*

RURAL AND REGIONAL (JOINT)

(Assembly members appointed by resolution on 5 May 2011 contingent upon the coming into operation of the Regional Growth Fund Act 2011)

Mr Howard
Mr Katos
Mr Trezise
Mr Weller

SCRUTINY OF ACTS AND REGULATIONS (JOINT)

(Assembly members appointed 10 February 2011 unless otherwise indicated)

Ms Barker *(appointed 26 June 2013)*

Mr Brooks *(appointed 8 February 2012) (resigned 25 June 2013, see p 630)*

Ms Campbell

Mr Eren *(resigned 8 February 2012)*

Mr Gidley

Mr Nardella

Dr Sykes *(appointed 10 October 2012)*

Mr Watt

STANDING ORDERS

(Members appointed 7 April 2011 unless otherwise indicated)

The Speaker *(Speaker Smith to 4 February 2014, Speaker Fyffe from 4 February 2014)*

Ms Allan *(appointed 24 May 2011) (discharged 28 February 2012) (appointed 28 November 2012)*

Ms Asher *(appointed 17 April 2013)*

Ms Barker

Mr Brooks *(discharged 26 June 2013)*

Mrs Fyffe *(discharged 5 February 2014 then member as Speaker)*

Ms Green *(appointed 28 February 2012) (discharged 28 November 2012)*

Mr Hodgett

Ms Kairouz *(appointed 26 June 2013)*

Mr McIntosh *(discharged 17 April 2013)*

Mr O'Brien *(appointed 5 February 2014)*

Mr Perera *(discharged 24 May 2011)*

Mrs Powell



**MINUTES OF THE PROCEEDINGS
OF THE
JOINT SITTING
OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

TO ELECT THREE MEMBERS OF THE PARLIAMENT TO THE
VICTORIAN HEALTH PROMOTION FOUNDATION

29 June 2011

Held in accordance with the provisions of the Tobacco Act 1987

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday 29 June 2011

THE VICTORIAN HEALTH PROMOTION FOUNDATION

The members of the Legislative Council and the members of the Legislative Assembly having assembled in the Legislative Assembly Chamber in accordance with the resolutions of the two Houses —

- 1 The Honourable Bruce Atkinson MLC, President of the Legislative Council, took the Chair.
- 2 **VICTORIAN HEALTH PROMOTION FOUNDATION** — The Chair invited proposals from members for the election of three members to the Victorian Health Promotion Foundation.

The Honourable Ted Baillieu MP proposed that Mr Neil Angus MP, Mr Tim Bull MP and Ms Danielle Green MP be elected to the Victorian Health Promotion Foundation, and stated that they were willing to be elected, if chosen. The proposal was seconded by the Honourable Daniel Andrews MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared that Mr Neil Angus MP, Mr Tim Bull MP and Ms Danielle Green MP had been elected.

The Chair declared the joint sitting closed.

W R TUNNECLIFFE
Clerk of the Legislative Council

R W PURDEY
Clerk of the Legislative Assembly



**MINUTES OF THE PROCEEDINGS
OF THE
JOINT SITTING
OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

**TO ELECT THREE MEMBERS OF THE PARLIAMENT TO THE TO THE BOARD
OF THE VICTORIAN RESPONSIBLE GAMBLING FOUNDATION**

28 March 2012

*Held in accordance with the provisions of the Victorian Responsible Gambling Foundation
Act 2011*

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday, 28 March 2012

THE VICTORIAN RESPONSIBLE GAMBLING FOUNDATION

The Members of the Legislative Council and the Members of the Legislative Assembly having assembled in the Legislative Assembly Chamber in accordance with the resolutions of the two Houses —

- 1 The Honourable Ken Smith, MP, Speaker of the Legislative Assembly, took the Chair.
- 2 **RULES OF PROCEDURE** — The Honourable Ted Baillieu, MP, submitted the following rules of procedure and moved — That these rules for nominations be adopted —
 1. A member, addressing the Chair, may propose a member or members to be elected to the Board of the Victorian Responsible Gambling Foundation and any such proposal must be seconded. When a member is proposed, the proposer must state that such member is willing to accept nomination.
 2. If no more than the required number of members are proposed and seconded, the Chair will declare such members as having been elected.
 3. If more than the required number of members are proposed and seconded in respect of the vacancies, the members will be elected by ballot.
 4. After the ballot, the Chair will declare the member or members elected to the Board and will advise the responsible minister of the result of the election.

Question — put and agreed to.

- 3 **THE BOARD OF THE VICTORIAN RESPONSIBLE GAMBLING FOUNDATION** — The Chair invited proposals from members for the election of three members to the Board of the Victorian Responsible Gambling Foundation.

The Honourable Ted Baillieu, MP, proposed that Mr Tim McCurdy, MP, Mr David Southwick, MP, and Mr Ian Trezise, MP, be elected to the Board of the Victorian Responsible Gambling Foundation, and stated that they were willing to be elected, if chosen. The proposal was seconded by the Honourable Daniel Andrews, MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared that Mr Tim McCurdy, MP, Mr David Southwick, MP, and Mr Ian Trezise, MP had been elected.

The Chair declared the Joint Sitting closed.

W R TUNNECLIFFE
Clerk of the Legislative Council

R W PURDEY
Clerk of the Legislative Assembly

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MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

**OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
THE HONOURABLE MARTIN PHILIP PAKULA MLC

8 May 2013

Held in accordance with the provisions of section 27A of the Constitution Act 1975

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday 8 May 2013

**TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
THE HONOURABLE MARTIN PHILIP PAKULA MLC**

*The Members of the Legislative Council and the Members of the Legislative
Assembly having assembled in the Legislative Assembly Chamber in accordance
with the resolutions of the two Houses —*

- 1 **ELECTION OF CHAIR** — The Honourable Dr Denis Napthine MP moved — That the Honourable Bruce Atkinson MLC, President of the Legislative Council, be appointed Chair of this joint sitting. The motion was seconded by Mr Daniel Andrews MP.

As no other member was proposed, the Clerk declared the Honourable Bruce Atkinson MLC had been duly elected Chair.

- 2 **RULES OF PROCEDURE** — The Chair announced that section 27A of the *Constitution Act 1975* provides that the joint sitting shall be conducted in accordance with rules adopted by members present at the sitting. Accordingly, the Honourable Dr Denis Napthine MP submitted the following rules of procedure and moved — That these rules be the rules of procedure for this joint sitting —

Application of standing orders

- (1) In any matter of procedure not provided for in these rules of procedure, the standing orders of the Legislative Assembly, in force for the time being, will be followed as far as they can be applied.

Relief of Chair

- (2) A Presiding Officer, the Deputy Speaker or the Deputy President will take the Chair as Acting Chair whenever requested so to do by the Chair without any formal communication.

Time limit on speeches

- (3) No member may speak for more than five minutes on any question.

Nominations

- (4) A member, addressing the Chair, may propose a person to occupy the vacant seat in the Legislative Council and any such proposal must be seconded. When a person is nominated, the proposer must state that such person is willing to accept nomination and whether the *Constitution Act 1975 s 27A(4)* applies. This process is repeated, if necessary, until there are no further nominations, at which point the Chair declares that nominations are closed.

Questions to be proposed

- (5) The Chair will put the question 'That [nominee] be chosen to occupy the vacant seat in the Legislative Council' in relation to the person first nominated. If that motion is not agreed to in accordance with *Constitution Act 1975 s 27A(7)*, the Chair will then put the question in relation to the next person nominated. This procedure will be repeated, as necessary, for any other nominees in the order in which they were nominated.

Entitlement to vote

- (6) On every question arising in a joint sitting each member of the Legislative Assembly and of the Legislative Council, including the Chair, will have one vote.

Sitting and adjournment

- (7) A motion for the adjournment of the joint sitting may be moved by a minister and will be put immediately without amendment or debate.
- (8) A motion for the purpose of fixing the next meeting of the joint sitting may be moved by a minister at any time provided that there is no question before the Chair.

Voting on questions

- (9) Questions, other than for the purpose of *Constitution Act 1975 s 27A(5)* will be decided by a simple majority of the members present and voting.
- (10) In the event of an equality of votes on a question, the question is taken to have been defeated.
- (11) After completion of the vote, the Chair will declare the person chosen to hold the vacant seat in the Legislative Council.
- (12) The Chair will advise the Governor of the name of the person chosen to fill the vacancy.

Divisions

- (13)
 - (a) Whenever the Chair states, on putting a question, that the 'ayes' or 'noes' (as the case may be) have it, the Chair's opinion may be challenged by a member calling for a division.
 - (b) When a division is requested, the Clerk will ring the bells for three minutes as indicated by the timer.
 - (c) When the bells have stopped ringing, the Chair calls for the doors to be locked. After that a member must not leave the Chamber until after the division has been completed.
 - (d) When successive divisions are taken without any intervening debate, the Chair will direct that the bells be rung for one minute.

- (e) After the doors are locked the Chair restates the question and directs the ayes to the right side of the Chamber and the noes to the left side of the Chamber. The Chair appoints two or more tellers for each side.
- (f) Votes may only be cast by members present in the Chamber and every member present must vote.
- (g) If two tellers cannot be found for one side of the question, the Chair must immediately declare the resolution of the joint sitting.
- (h) The tellers count the votes and record the members' names. On receiving a report from the tellers, the Chair announces the result to the joint sitting.

Records of proceedings

- (14) The records of the proceedings and the ballot papers will be retained by the Clerk of the Parliaments who will destroy the ballot papers after one year.

Mr Daniel Andrews MP seconded the motion.

Question — put and agreed to.

- 3 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT SEAT IN THE LEGISLATIVE COUNCIL** — The Chair invited proposals from members for a person to occupy the seat in the Legislative Council rendered vacant by the resignation of the Honourable Martin Philip Pakula MLC.

The Honourable Dr Denis Napthine MP proposed Mr Cesar Melhem as the person to occupy the vacant seat. He also stated that Mr Melhem was willing to accept the appointment, if chosen, and that he was the selection of the Australian Labor Party, the party previously represented in the Legislative Council by the Honourable Martin Philip Pakula MLC. The proposal was seconded by Mr Daniel Andrews MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared nominations closed.

Question — That Mr Cesar Melhem be chosen to occupy the seat rendered vacant by the resignation of the Honourable Martin Philip Pakula MLC — put and agreed to.

The Chair declared the joint sitting closed.

W R TUNNECLIFFE
Clerk of the Legislative Council

R W PURDEY
Clerk of the Legislative Assembly

By Authority. Government Printer for the State of Victoria



MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

**OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE COUNCIL
RENDERED VACANT BY THE RESIGNATION OF MRS DONNA PETROVICH MLC
AND TO CHOOSE A PERSON TO HOLD THE SEAT IN THE SENATE
RENDERED VACANT BY THE RESIGNATION OF
SENATOR THE HONOURABLE DAVID FEENEY

21 August 2013

*Held in accordance with the provisions of section 27A of the Constitution Act 1975 and section 15 of
the Commonwealth of Australia Constitution Act*

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Wednesday 21 August 2013

**TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE COUNCIL
RENDERED VACANT BY THE RESIGNATION OF MRS DONNA PETROVICH MLC
AND TO CHOOSE A PERSON TO HOLD THE SEAT IN THE SENATE
RENDERED VACANT BY THE RESIGNATION OF
SENATOR THE HONOURABLE DAVID FEENEY**

*The Members of the Legislative Council and the Members of the Legislative
Assembly having assembled in the Legislative Assembly Chamber in accordance
with the resolutions of the two Houses —*

- 1 **ELECTION OF CHAIR** — The Honourable Dr Denis Napthine MP moved — That the Honourable Ken Smith MP, Speaker of the Legislative Assembly, be appointed Chair of this joint sitting. The motion was seconded by Mr Daniel Andrews MP.

As no other member was proposed, the Clerk declared the Honourable Ken Smith MP had been duly elected Chair.

COUNCIL VACANCY

- 2 **RULES OF PROCEDURE** — The Chair announced that section 27A of the *Constitution Act 1975* provides that the joint sitting shall be conducted in accordance with rules adopted by members present at the sitting. Accordingly, the Honourable Dr Denis Napthine MP submitted the following rules of procedure and moved — That these rules be the rules of procedure for this joint sitting —

Application of standing orders

- (1) In any matter of procedure not provided for in these rules of procedure, the standing orders of the Legislative Assembly, in force for the time being, will be followed as far as they can be applied.

Relief of Chair

- (2) A Presiding Officer, the Deputy Speaker or the Deputy President will take the Chair as Acting Chair whenever requested so to do by the Chair without any formal communication.

Time limit on speeches

- (3) No member may speak for more than five minutes on any question.

Nominations

- (4) A member, addressing the Chair, may propose a person to occupy the vacant seat in the Legislative Council and any such proposal must be seconded. When a person is nominated, the proposer must state that such person is willing to accept nomination and whether the *Constitution Act 1975 s 27A(4)* applies. This process is repeated, if necessary, until there are no further nominations, at which point the Chair declares that nominations are closed.

Questions to be proposed

- (5) The Chair will put the question 'That [nominee] be chosen to occupy the vacant seat in the Legislative Council' in relation to the person first nominated. If that motion is not agreed to in accordance with *Constitution Act 1975 s 27A(7)*, the Chair will then put the question in relation to the next person nominated. This procedure will be repeated, as necessary, for any other nominees in the order in which they were nominated.

Entitlement to vote

- (6) On every question arising in a joint sitting each member of the Legislative Assembly and of the Legislative Council, including the Chair, will have one vote.

Sitting and adjournment

- (7) A motion for the adjournment of the joint sitting may be moved by a minister and will be put immediately without amendment or debate.
- (8) A motion for the purpose of fixing the next meeting of the joint sitting may be moved by a minister at any time provided that there is no question before the Chair.

Voting on questions

- (9) Questions, other than for the purpose of *Constitution Act 1975 s 27A(5)* will be decided by a simple majority of the members present and voting.
- (10) In the event of an equality of votes on a question, the question is taken to have been defeated.
- (11) After completion of the vote, the Chair will declare the person chosen to hold the vacant seat in the Legislative Council.
- (12) The Chair will advise the Governor of the name of the person chosen to fill the vacancy.

Divisions

- (13) (a) Whenever the Chair states, on putting a question, that the 'ayes' or 'noes' (as the case may be) have it, the Chair's opinion may be challenged by a member calling for a division.
- (b) When a division is requested, the Clerk will ring the bells for three minutes as indicated by the timer.
- (c) When the bells have stopped ringing, the Chair calls for the doors to be locked. After that a member must not leave the Chamber until after the division has been completed.

- (d) When successive divisions are taken without any intervening debate, the Chair will direct that the bells be rung for one minute.
- (e) After the doors are locked the Chair restates the question and directs the ayes to the right side of the Chamber and the noes to the left side of the Chamber. The Chair appoints two or more tellers for each side.
- (f) Votes may only be cast by members present in the Chamber and every member present must vote.
- (g) If two tellers cannot be found for one side of the question, the Chair must immediately declare the resolution of the joint sitting.
- (h) The tellers count the votes and record the members' names. On receiving a report from the tellers, the Chair announces the result to the joint sitting.

Records of proceedings

- (14) The records of the proceedings and the ballot papers will be retained by the Clerk of the Parliaments who will destroy the ballot papers after one year.

Mr Daniel Andrews MP seconded the motion.

Question — put and agreed to.

- 3 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT SEAT IN THE LEGISLATIVE COUNCIL** — The Chair invited proposals from members for a person to occupy the seat in the Legislative Council rendered vacant by the resignation of Mrs Donna Petrovich MLC.

The Honourable Dr Denis Naphthine MP proposed Mrs Amanda Louise Millar as the person to occupy the vacant seat. He also stated that Mrs Millar was willing to accept the appointment, if chosen, and that she was the selection of the Liberal Party, the party previously represented in the Legislative Council by Mrs Donna Petrovich MLC. The proposal was seconded by Mr Daniel Andrews MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared nominations closed.

Question — That Mrs Amanda Louise Millar be chosen to occupy the seat rendered vacant by the resignation of Mrs Donna Petrovich MLC — put and agreed to.

SENATE VACANCY

- 4 **RULES OF PROCEDURE** — The Chair advised that the joint sitting would now operate under the rules set out by Joint Standing Orders 22 and 23.
- 5 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT PLACE IN THE SENATE** — The Chair invited proposals from members of persons to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable David Feeney.

The Honourable Dr Denis Naphthine MP, proposed Mr Mehmet Tillem as the person to hold the vacant place. He also stated that Mr Tillem was willing to hold the vacant place, if chosen, and that he was the selection of the Australian Labor Party, the party previously represented in the Senate by Senator the Honourable David Feeney. The proposal was seconded by Mr Daniel Andrews MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared that Mr Mehmet Tillem had been chosen to hold the place rendered vacant by the resignation of Senator the Honourable David Feeney.

The Chair declared the joint sitting closed.

W R TUNNECLIFFE
Clerk of the Legislative Council

R W PURDEY
Clerk of the Legislative Assembly

By Authority. Government Printer for the State of Victoria



MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

**OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
MR PHILIP DAVIS MLC

5 February 2014

Held in accordance with the provisions of section 27A of the Constitution Act 1975

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday 5 February 2014

**TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
MR PHILIP DAVIS MLC**

*The Members of the Legislative Council and the Members of the Legislative
Assembly having assembled in the Legislative Assembly Chamber in accordance
with the resolutions of the two Houses —*

- 1 **ELECTION OF CHAIR** — The Honourable Dr Denis Napthine MP moved — That the Honourable Bruce Atkinson MLC, President of the Legislative Council, be appointed Chair of this joint sitting. The motion was seconded by Mr Daniel Andrews MP.

As no other member was proposed, the Clerk declared the Honourable Bruce Atkinson MLC had been duly elected Chair.

- 2 **RULES OF PROCEDURE** — The Chair announced that section 27A of the *Constitution Act 1975* provides that the joint sitting shall be conducted in accordance with rules adopted by members present at the sitting. Accordingly, the Honourable Dr Denis Napthine MP submitted the following rules of procedure and moved — That these rules be the rules of procedure for this joint sitting —

Application of standing orders

- (1) In any matter of procedure not provided for in these rules of procedure, the standing orders of the Legislative Assembly, in force for the time being, will be followed as far as they can be applied.

Relief of Chair

- (2) A Presiding Officer, the Deputy Speaker or the Deputy President will take the Chair as Acting Chair whenever requested so to do by the Chair without any formal communication.

Time limit on speeches

- (3) No member may speak for more than five minutes on any question.

Nominations

- (4) A member, addressing the Chair, may propose a person to occupy the vacant seat in the Legislative Council and any such proposal must be seconded. When a person is nominated, the proposer must state that such person is willing to accept nomination and whether the *Constitution Act 1975 s 27A(4)* applies. This process is repeated, if necessary, until there are no further nominations, at which point the Chair declares that nominations are closed.

Questions to be proposed

- (5) The Chair will put the question 'That [nominee] be chosen to occupy the vacant seat in the Legislative Council' in relation to the person first nominated. If that motion is not agreed to in accordance with *Constitution Act 1975 s 27A(7)*, the Chair will then put the question in relation to the next person nominated. This procedure will be repeated, as necessary, for any other nominees in the order in which they were nominated.

Entitlement to vote

- (6) On every question arising in a joint sitting each member of the Legislative Assembly and of the Legislative Council, including the Chair, will have one vote.

Sitting and adjournment

- (7) A motion for the adjournment of the joint sitting may be moved by a minister and will be put immediately without amendment or debate.
- (8) A motion for the purpose of fixing the next meeting of the joint sitting may be moved by a minister at any time provided that there is no question before the Chair.

Voting on questions

- (9) Questions, other than for the purpose of *Constitution Act 1975 s 27A(5)* will be decided by a simple majority of the members present and voting.
- (10) In the event of an equality of votes on a question, the question is taken to have been defeated.
- (11) After completion of the vote, the Chair will declare the person chosen to hold the vacant seat in the Legislative Council.
- (12) The Chair will advise the Governor of the name of the person chosen to fill the vacancy.

Divisions

- (13)
 - (a) Whenever the Chair states, on putting a question, that the 'ayes' or 'noes' (as the case may be) have it, the Chair's opinion may be challenged by a member calling for a division.
 - (b) When a division is requested, the Clerk will ring the bells for three minutes as indicated by the timer.
 - (c) When the bells have stopped ringing, the Chair calls for the doors to be locked. After that a member must not leave the Chamber until after the division has been completed.
 - (d) When successive divisions are taken without any intervening debate, the Chair will direct that the bells be rung for one minute.
 - (e) After the doors are locked the Chair restates the question and directs the ayes to the right side of the Chamber and the noes to the left side of the Chamber. The Chair appoints two or more tellers for each side.

- (f) Votes may only be cast by members present in the Chamber and every member present must vote.
- (g) If two tellers cannot be found for one side of the question, the Chair must immediately declare the resolution of the joint sitting.
- (h) The tellers count the votes and record the members' names. On receiving a report from the tellers, the Chair announces the result to the joint sitting.

Records of proceedings

- (14) The records of the proceedings and the ballot papers will be retained by the Clerk of the Parliaments who will destroy the ballot papers after one year.

Mr Daniel Andrews MP seconded the motion.

Question — put and agreed to.

- 3 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT SEAT IN THE LEGISLATIVE COUNCIL** — The Chair invited proposals from members for a person to occupy the seat in the Legislative Council rendered vacant by the resignation of Mr Philip Davis MLC.

The Honourable Dr Denis Naphine MP proposed Mr Andrew Mark Ronalds as the person to occupy the vacant seat. He also stated that he was willing to accept the appointment, if chosen, and that he was the selection of the Liberal Party, the party previously represented in the Legislative Council by Mr Philip Davis MLC. The proposal was seconded by Mr Daniel Andrews MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared nominations closed.

Question — That Mr Andrew Mark Ronalds, be chosen to occupy the seat rendered vacant by the resignation of Mr Philip Davis MLC — put and agreed to.

The Chair declared the joint sitting closed.

W R TUNNECLIFFE
Clerk of the Legislative Council

R W PURDEY
Clerk of the Legislative Assembly



MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

**OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
THE HONOURABLE PETER HALL MLC

26 March 2014

Held in accordance with the provisions of section 27A of the Constitution Act 1975

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday 26 March 2014

**TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
THE HONOURABLE PETER HALL MLC**

*The Members of the Legislative Council and the Members of the Legislative
Assembly having assembled in the Legislative Assembly Chamber in accordance
with the resolutions of the two Houses —*

- 1 **ELECTION OF CHAIR** — The Honourable Dr Denis Napthine MP moved — That the Honourable Christine Fyffe MP, Speaker of the Legislative Assembly, be appointed Chair of this joint sitting. The motion was seconded by Mr Daniel Andrews MP.

As no other member was proposed, the Clerk declared the Honourable Christine Fyffe MP had been duly elected Chair.

- 2 **RULES OF PROCEDURE** — The Chair announced that section 27A of the *Constitution Act 1975* provides that the joint sitting shall be conducted in accordance with rules adopted by members present at the sitting. Accordingly, the Honourable Dr Denis Napthine MP submitted the following rules of procedure and moved — That these rules be the rules of procedure for this joint sitting —

Application of standing orders

- (1) In any matter of procedure not provided for in these rules of procedure, the standing orders of the Legislative Assembly, in force for the time being, will be followed as far as they can be applied.

Relief of Chair

- (2) A Presiding Officer, the Deputy Speaker or the Deputy President will take the Chair as Acting Chair whenever requested so to do by the Chair without any formal communication.

Time limit on speeches

- (3) No member may speak for more than five minutes on any question.

Nominations

- (4) A member, addressing the Chair, may propose a person to occupy the vacant seat in the Legislative Council and any such proposal must be seconded. When a person is nominated, the proposer must state that such person is willing to accept nomination and whether the *Constitution Act 1975 s 27A(4)* applies. This process is repeated, if necessary, until there are no further nominations, at which point the Chair declares that nominations are closed.

Questions to be proposed

- (5) The Chair will put the question 'That [nominee] be chosen to occupy the vacant seat in the Legislative Council' in relation to the person first nominated. If that motion is not agreed to in accordance with *Constitution Act 1975 s 27A(7)*, the Chair will then put the question in relation to the next person nominated. This procedure will be repeated, as necessary, for any other nominees in the order in which they were nominated.

Entitlement to vote

- (6) On every question arising in a joint sitting each member of the Legislative Assembly and of the Legislative Council, including the Chair, will have one vote.

Sitting and adjournment

- (7) A motion for the adjournment of the joint sitting may be moved by a minister and will be put immediately without amendment or debate.
- (8) A motion for the purpose of fixing the next meeting of the joint sitting may be moved by a minister at any time provided that there is no question before the Chair.

Voting on questions

- (9) Questions, other than for the purpose of *Constitution Act 1975 s 27A(5)* will be decided by a simple majority of the members present and voting.
- (10) In the event of an equality of votes on a question, the question is taken to have been defeated.
- (11) After completion of the vote, the Chair will declare the person chosen to hold the vacant seat in the Legislative Council.
- (12) The Chair will advise the Governor of the name of the person chosen to fill the vacancy.

Divisions

- (13) (a) Whenever the Chair states, on putting a question, that the 'ayes' or 'noes' (as the case may be) have it, the Chair's opinion may be challenged by a member calling for a division.
- (b) When a division is requested, the Clerk will ring the bells for three minutes as indicated by the timer.
- (c) When the bells have stopped ringing, the Chair calls for the doors to be locked. After that a member must not leave the Chamber until after the division has been completed.
- (d) When successive divisions are taken without any intervening debate, the Chair will direct that the bells be rung for one minute.

- (e) After the doors are locked the Chair restates the question and directs the ayes to the right side of the Chamber and the noes to the left side of the Chamber. The Chair appoints two or more tellers for each side.
- (f) Votes may only be cast by members present in the Chamber and every member present must vote.
- (g) If two tellers cannot be found for one side of the question, the Chair must immediately declare the resolution of the joint sitting.
- (h) The tellers count the votes and record the members' names. On receiving a report from the tellers, the Chair announces the result to the joint sitting.

Records of proceedings

- (14) The records of the proceedings and the ballot papers will be retained by the Clerk of the Parliaments who will destroy the ballot papers after one year.

Mr Daniel Andrews MP seconded the motion.

Question — put and agreed to.

- 3 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT SEAT IN THE LEGISLATIVE COUNCIL** — The Chair invited proposals from members for a person to occupy the seat in the Legislative Council rendered vacant by the resignation of the Honourable Peter Hall MLC.

The Honourable Dr Denis Napthine MP proposed Mr Daniel David O'Brien as the person to occupy the vacant seat. He also stated that Mr Daniel O'Brien was willing to accept the appointment, if chosen, and that he was the selection of the Nationals, the party previously represented in the Legislative Council by the Honourable Peter Hall MLC. The proposal was seconded by Mr Daniel Andrews MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared nominations closed.

Question — That Mr Daniel David O'Brien be chosen to occupy the seat rendered vacant by the resignation of the Honourable Peter Hall MLC — put and agreed to.

The Chair declared the joint sitting closed.

W R TUNNECLIFFE
Clerk of the Legislative Council

R W PURDEY
Clerk of the Legislative Assembly



MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

**OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE COUNCIL
RENDERED VACANT BY THE RESIGNATION OF HON CANDY BROAD MLC
AND TO ELECT A MEMBER OF THE PARLIAMENT TO THE BOARD OF THE VICTORIAN
RESPONSIBLE GAMBLING FOUNDATION

11 June 2014

*Held in accordance with the provisions of section 27A of the Constitution Act 1975 and the provisions
of the Victorian Responsible Gambling Foundation Act 2011*

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday 11 June 2014

**TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE COUNCIL
RENDERED VACANT BY THE RESIGNATION OF HON CANDY BROAD MLC
AND TO ELECT A MEMBER OF THE PARLIAMENT TO THE BOARD OF THE
VICTORIAN RESPONSIBLE GAMBLING FOUNDATION**

*The Members of the Legislative Council and the Members of the Legislative
Assembly having assembled in the Legislative Assembly Chamber in accordance
with the resolutions of the two Houses —*

- 1 **ELECTION OF CHAIR** — The Honourable Dr Denis Naphine MP moved — That the Honourable Bruce Atkinson MLC, President of the Legislative Council, be appointed Chair of this joint sitting. The motion was seconded by Mr Daniel Andrews MP.

As no other member was proposed, the Clerk declared the Honourable Bruce Atkinson MLC had been duly elected Chair.

COUNCIL VACANCY

- 2 **RULES OF PROCEDURE** — The Chair announced that section 27A of the *Constitution Act 1975* provides that the joint sitting shall be conducted in accordance with rules adopted by members present at the sitting. Accordingly, the Honourable Dr Denis Naphine MP submitted the following rules of procedure and moved — That these rules be the rules of procedure for this joint sitting —

Application of standing orders

- (1) In any matter of procedure not provided for in these rules of procedure, the standing orders of the Legislative Assembly, in force for the time being, will be followed as far as they can be applied.

Relief of Chair

- (2) A Presiding Officer, the Deputy Speaker or the Deputy President will take the Chair as Acting Chair whenever requested so to do by the Chair without any formal communication.

Time limit on speeches

- (3) No member may speak for more than five minutes on any question.

Nominations

- (4) A member, addressing the Chair, may propose a person to occupy the vacant seat in the Legislative Council and any such proposal must be seconded. When a person is nominated, the proposer must state that such person is willing to accept nomination and whether the *Constitution Act 1975 s 27A(4)* applies. This process is repeated, if necessary, until there are no further nominations, at which point the Chair declares that nominations are closed.

Questions to be proposed

- (5) The Chair will put the question 'That [nominee] be chosen to occupy the vacant seat in the Legislative Council' in relation to the person first nominated. If that motion is not agreed to in accordance with *Constitution Act 1975 s 27A(7)*, the Chair will then put the question in relation to the next person nominated. This procedure will be repeated, as necessary, for any other nominees in the order in which they were nominated.

Entitlement to vote

- (6) On every question arising in a joint sitting each member of the Legislative Assembly and of the Legislative Council, including the Chair, will have one vote.

Sitting and adjournment

- (7) A motion for the adjournment of the joint sitting may be moved by a minister and will be put immediately without amendment or debate.
- (8) A motion for the purpose of fixing the next meeting of the joint sitting may be moved by a minister at any time provided that there is no question before the Chair.

Voting on questions

- (9) Questions, other than for the purpose of *Constitution Act 1975 s 27A(5)* will be decided by a simple majority of the members present and voting.
- (10) In the event of an equality of votes on a question, the question is taken to have been defeated.
- (11) After completion of the vote, the Chair will declare the person chosen to hold the vacant seat in the Legislative Council.
- (12) The Chair will advise the Governor of the name of the person chosen to fill the vacancy.

Divisions

- (13) (a) Whenever the Chair states, on putting a question, that the 'ayes' or 'noes' (as the case may be) have it, the Chair's opinion may be challenged by a member calling for a division.
- (b) When a division is requested, the Clerk will ring the bells for three minutes as indicated by the timer.
- (c) When the bells have stopped ringing, the Chair calls for the doors to be locked. After that a member must not leave the Chamber until after the division has been completed.
- (d) When successive divisions are taken without any intervening debate, the Chair will direct that the bells be rung for one minute.

- (e) After the doors are locked the Chair restates the question and directs the ayes to the right side of the Chamber and the noes to the left side of the Chamber. The Chair appoints two or more tellers for each side.
- (f) Votes may only be cast by members present in the Chamber and every member present must vote.
- (g) If two tellers cannot be found for one side of the question, the Chair must immediately declare the resolution of the joint sitting.
- (h) The tellers count the votes and record the members' names. On receiving a report from the tellers, the Chair announces the result to the joint sitting.

Records of proceedings

- (14) The records of the proceedings and the ballot papers will be retained by the Clerk of the Parliaments who will destroy the ballot papers after one year.

Mr Daniel Andrews MP seconded the motion.

Question — put and agreed to.

- 3 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT SEAT IN THE LEGISLATIVE COUNCIL** — The Chair invited proposals from members for a person to occupy the seat in the Legislative Council rendered vacant by the resignation of Hon Candy Broad MLC.

The Honourable Dr Denis Naphthine MP proposed Ms Margaret Lewis as the person to occupy the vacant seat. He also stated that Ms Lewis was willing to accept the appointment, if chosen, and that she was the selection of the Australian Labor Party, the party previously represented in the Legislative Council by Hon Candy Broad MLC. The proposal was seconded by Mr Daniel Andrews MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared nominations closed.

Question — That Ms Margaret Lewis be chosen to occupy the seat rendered vacant by the resignation of Hon Candy Broad MLC — put and agreed to.

THE VICTORIAN RESPONSIBLE GAMBLING FOUNDATION

- 4 **RULES OF PROCEDURE** — The Chair advised that the joint sitting would now operate under the rules set out by Joint Standing Order 22, and the Honourable Dr Denis Naphthine MP, submitted the following additional rules of procedure and moved — That these rules for nominations be adopted —

- (1) A member, addressing the Chair, may propose a member or members to be elected to the Board of the Victorian Responsible Gambling Foundation and any such proposal must be seconded. When a member is proposed, the proposer must state that such member is willing to accept nomination.
- (2) If no more than the required number of members are proposed and seconded, the Chair will declare such members as having been elected.
- (3) If more than the required number of members are proposed and seconded in respect of the vacancies, the members will be elected by ballot.
- (4) After the ballot, the Chair will declare the member or members elected to the Board and will advise the responsible minister of the result of the election.

Question — put and agreed to.

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- 5 **THE BOARD OF THE VICTORIAN RESPONSIBLE GAMBLING FOUNDATION —**
The Chair invited proposals from members for the election of a member to the Board of the Victorian Responsible Gambling Foundation.

The Honourable Dr Denis Napthine MP proposed that Ms Maree Edwards MP be elected to the Board of the Victorian Responsible Gambling Foundation, and stated that she was willing to accept the nomination. The proposal was seconded by the Honourable Daniel Andrews MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared that Ms Maree Edwards MP had been elected.

The Chair declared the Joint Sitting closed.

A YOUNG
Acting Clerk of the Legislative Council

R W PURDEY
Clerk of the Legislative Assembly

By Authority. Government Printer for the State of Victoria