

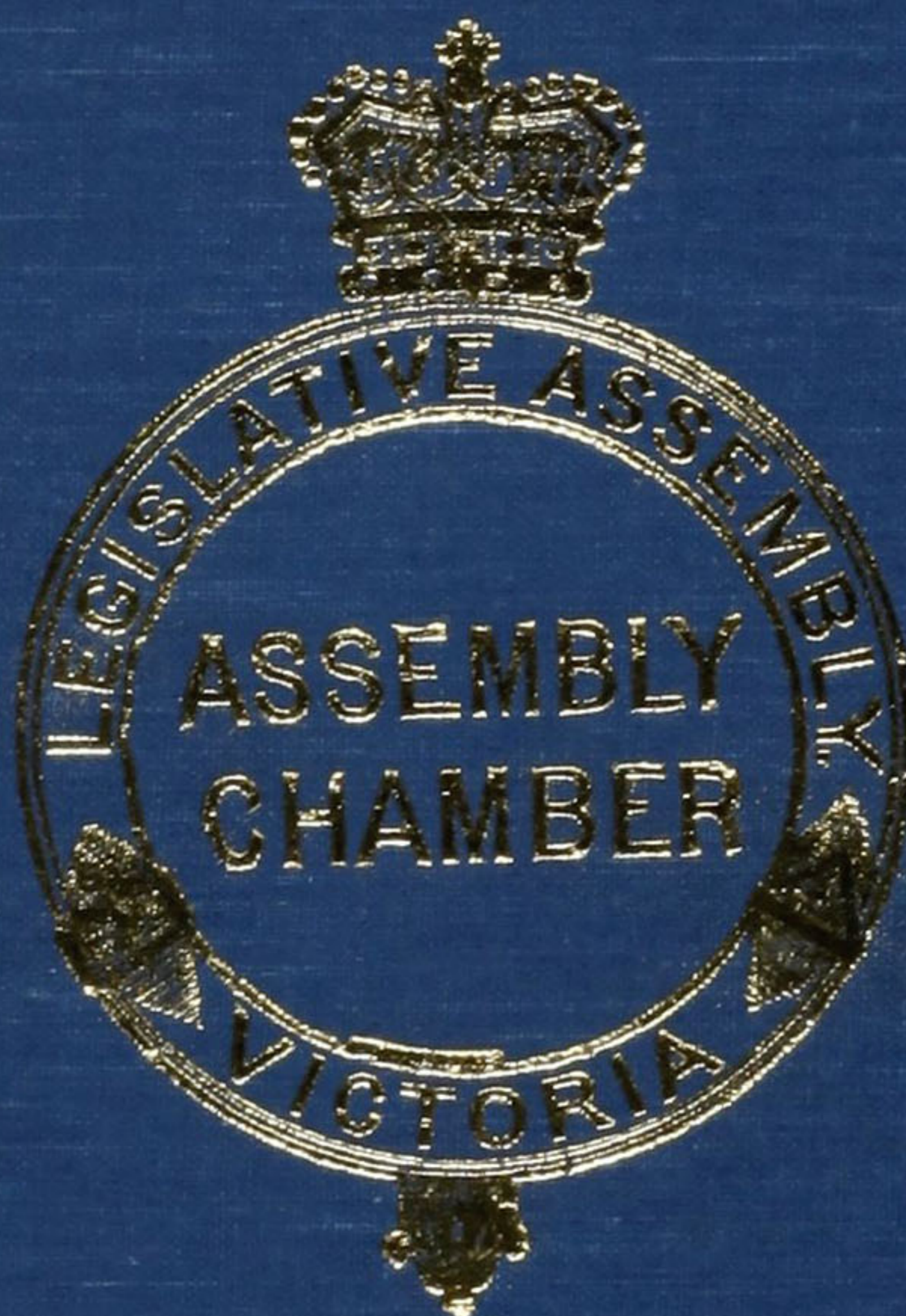
VICTORIA



VOTES
AND
PROCEEDINGS
OF THE
LEGISLATIVE
ASSEMBLY

SESSION
1994-96

VOL 1



ASSEMBLY CHAMBER

VICTORIA

VOTES AND PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

SESSION 1994-96

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Fisheries (Amendment) Bill - (Mr Coleman)	
First reading	29
Second reading	39
Subsequent proceedings	42, 121, 140, 154
Act No. 87 of 1994	<i>Assented to 6 December 1994</i>
Food (Amendment) Bill - (Mrs Tehan)	
First reading	210
Second reading	213
Subsequent proceedings	224, 242, 257
Act No. 20 of 1995	<i>Assented to 16 May 1995</i>
Forestry Rights Bill - (Mr Coleman)	
First reading	394
Second reading	408
Bill lapsed in Assembly	
Gaming Acts (Amendment) Bill - (Mrs Wade)	
First reading	223
Second reading	233
Subsequent proceedings	259-60, 283, 303
Governor's Message recommending appropriation	240
Act No. 44 of 1995	<i>Assented to 14 June 1995</i>
And see "Divisions in House"	

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Gaming and Betting (Amendment) Bill - (Mrs Wade)	
First reading	95
Second reading	107
Subsequent proceedings	132, 139, 164, 175
Governor's Message recommending appropriation	138
<i>Act No. 98 of 1994</i> <i>Assented to 13 December 1994</i>	
Gas and Fuel Corporation (Repeal) Bill - (Mr Plowman, Evelyn)	
First reading	219
Second reading	224
Subsequent proceedings	251, 264, 303
Governor's Message recommending appropriation	240
<i>Act No. 31 of 1995</i> <i>Assented to 6 June 1995</i>	
And see "Divisions in House"	
Gas Industry Bill - (Mr Plowman, Evelyn)	
First reading	99
Second reading	118-9
Subsequent proceedings	132, 155-7, 175, 176
Governor's Message recommending appropriation	138
<i>Act No. 112 of 1994</i> <i>Assented to 20 December 1994</i>	
And see "Divisions in House"	
Gas Industry (Extension of Supply) Bill - (Mr Coleman)	
First reading	326
Second reading	330
Subsequent proceedings	333, 358-9, 393, 410
<i>Act No. 80 of 1995</i> <i>Assented to 28 November 1995</i>	
And see "Divisions in House"	
Government Employee Housing Authority (Amendment) Bill - (Mr Smith, Polwarth)	
First reading	244
Second reading	248
Subsequent proceedings	270-1, 280, 303, 338-9, 359
Governor's Message recommending appropriation	258
<i>Act No. 32 of 1995</i> <i>Assented to 6 June 1995</i>	
And see "Divisions in House"	

Government Employee Housing Authority (Repeal) Bill -
(Mr Stockdale)

First reading	319
Second reading	321
Subsequent proceedings	323, 338-9, 359, 368
Governor's Message recommending appropriation	336
<i>Act No. 75 of 1995</i> <i>Assented to 14 November 1995</i>	
And see "Divisions in House"	

Grain Handling and Storage Bill - (Mr Stockdale)

First reading	244
Second reading	252
Subsequent proceedings	287, 303
Governor's Message recommending appropriation	258
Governor's Message recommending further appropriation	281
<i>Act No. 45 of 1995</i> <i>Assented to 14 June 1995</i>	

Health Acts (Amendment) Bill - (Mrs Tehan)

First reading	210
Second reading	213
Subsequent proceedings	224, 242, 257
Governor's Message recommending appropriation	219
<i>Act No. 21 of 1995</i> <i>Assented to 16 May 1995</i>	

Health Services (Amendment) Bill - (Mrs Tehan)

First reading	64
Second reading	69
Subsequent proceedings	88, 98, 104-5, 140, 154
<i>Act No. 88 of 1994</i> <i>Assented to 6 December 1994</i>	
And see "Divisions in House"	

Health Services (Metropolitan Hospitals) Bill - (Mrs Tehan)

First reading	232
Second reading	242
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	242
Subsequent proceedings	283, 290-1, 298, 303
Governor's Message recommending appropriation	258
Absolute majority obtained	290-1
<i>Act No. 46 of 1995</i> <i>Assented to 14 June 1995</i>	
And see "Divisions in House"	

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Heritage Bill - (Mr Maclellan, Pakenham)	
First reading	308
Second reading	310
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	310
Subsequent proceedings	314, 370, 384, 410, 411
Governor's Message recommending appropriation	317
Absolute majority obtained	370, 384
Instruction to Committee	365
<i>Act No. 93 of 1995</i> <i>Assented to 5 December 1995</i>	
Impounding of Livestock Bill - (From Council -Mr Maclellan, Pakenham)	
First reading	92
Second reading	105
Subsequent proceedings	76, 139, 154
<i>Act No. 89 of 1994</i> <i>Assented to 6 December 1994</i>	
Infertility Treatment Bill - (Mrs Tehan)	
First reading	232
Second reading	237
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	237
Subsequent proceedings	279-80, 291, 298, 303, 304
Governor's Message recommending appropriation	240
Absolute majority obtained	280, 291
<i>Act No. 63 of 1995</i> <i>Assented to 27 June 1995</i>	
Intellectually Disabled Persons' Services (Amendment) Bill - (Mr John)	
First reading	36
Second reading	39
Subsequent proceedings	42, 80, 84, 120, 138
<i>Act No. 76 of 1994</i> <i>Assented to 22 November 1994</i>	

Judicial Remuneration Tribunal Bill - (Mrs Wade)	
First reading	99
Second reading	112
Subsequent proceedings	132, 186, 189, 191, 220, 234-5, 241, 258
Governor's Message recommending appropriation	138
Governor's Message recommending further appropriation	184
Absolute majority obtained	186, 189, 235
<i>Act No. 22 of 1995</i> <i>Assented to 16 May 1995</i>	
And see "Divisions in House"	
Land (Miscellaneous) Bill - (Mr Coleman)	
First reading	244
Second reading	252
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	252
Subsequent proceedings	284, 303, 304
Governor's Message recommending appropriation	258
Absolute majority obtained	284
<i>Act No. 47 of 1995</i> <i>Assented to 14 June 1995</i>	
Land (Miscellaneous Matters) and National Tennis Centre (Amendment) Bill - (Mr Coleman)	
First reading	64
Second reading	78
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	78
Subsequent proceedings	109, 121, 128, 144, 154
Governor's Message recommending appropriation	84
Absolute majority obtained	128
<i>Act No. 90 of 1994</i> <i>Assented to 6 December 1994</i>	
Land (Revocation of Reservations) Bill - (Mr Coleman)	
First reading	187
Second reading	191
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	191
Subsequent proceedings	202, 220, 228
Governor's Message recommending appropriation	195
Absolute majority obtained	202
<i>Act No. 13 of 1995</i> <i>Assented to 2 May 1995</i>	

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Land Revocations (And Other Matters) Bill - (Mr Coleman)	
First reading	326
Second reading	343
Subsequent proceedings	366, 371, 399, 411
Governor's Message recommending appropriation	368
<i>Act No. 94 of 1995 Assented to 5 December 1995</i>	
Land Tax (Amendment) Bill - (Mr Stockdale)	
First reading	95
Second reading	106
Subsequent proceedings	109, 162, 175, 176
Governor's Message recommending appropriation	138
<i>Act No. 113 of 1994 Assented to 20 December 1994</i>	
Land Titles Validation Bill - (Mr Kennett)	
First reading	94
Second reading	106
Subsequent proceedings	132, 167, 175, 176
Governor's Message recommending appropriation	138
<i>Act No. 114 of 1994 Assented to 20 December 1994</i>	
And see "Divisions in House"	
Latrobe Regional Commission (Repeal) Bill - (Mr Maclellan, Pakenham)	
First reading	188
Second reading	191
Subsequent proceedings	214-5, 231, 240
Governor's Message recommending appropriation	195
<i>Act No. 16 of 1995 Assented to 9 May 1995</i>	
And see "Divisions in House"	
Legal Aid Commission (Amendment) Bill - (Mrs Wade)	
First reading	232
Second reading	236
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	236
Subsequent proceedings	260, 280, 304
Absolute majority obtained	260
<i>Act No. 48 of 1995 Assented to 14 June 1995</i>	
And see "Divisions in Committee"	

Legal Profession Practice (Amendment) Bill - (Mrs Wade)	
First reading	342
Second reading	347
Subsequent proceedings	366, 376, 376-7, 378, 381, 408, 411
<i>Act No. 95 of 1995</i> <i>Assented to 5 December 1995</i>	
And see "Divisions in House"	
Liquor Control (Amendment) Bill - (Mr Stockdale)	
First reading	29
Second reading	31
Subsequent proceedings	42
Bill withdrawn	63
Liquor Control (Amendment) Bill (No. 2) - (Mr Heffernan)	
First reading	67
Second reading	73
Subsequent proceedings	88, 91-2, 129, 138
<i>Act No. 83 of 1994</i> <i>Assented to 29 November 1994</i>	
And see "Divisions in House"	
Liquor Control (Further Amendment) Bill - (Mr Heffernan)	
First reading	343
Second reading	357
Subsequent proceedings	366, 380, 385, 410, 411
Governor's Message recommending appropriation	368
<i>Act No. 96 of 1995</i> <i>Assented to 5 December 1995</i>	
And see "Divisions in House"	
Liquor Control (Licences and Permits) Bill - (Mr Heffernan)	
First reading	375
Second reading	394
Subsequent proceedings	394-6, 399, 410, 411
Governor's Message recommending appropriation	399
<i>Act No. 97 of 1995</i> <i>Assented to 5 December 1995</i>	
And see "Divisions in House"	

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Livestock Disease Control Bill - (Mr McGrath, Wimmera)	
First reading	100
Second reading	113
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	113
Subsequent proceedings	132, 161-2, 175, 176
Governor's Message recommending appropriation	138
Absolute majority obtained	161-2
<i>Act No. 115 of 1994</i> <i>Assented to 20 December 1994</i>	
Local Government (Amendment) Bill - (Mr Maclellan, Pakenham)	
First reading	51
Second reading	55
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	55
Instruction to Committee	110
Subsequent proceedings	76, 114, 124-5, 159, 175
Governor's Message recommending appropriation	77
Absolute majority obtained	125
<i>Act No. 99 of 1994</i> <i>Assented to 13 December 1994</i>	
And see "Divisions in Committee"	
"Divisions in House"	
Local Government (Elections) Bill - (Mr Maclellan, Pakenham)	
First reading	308
Second reading	310
Subsequent proceedings	314, 327, 329-30, 359, 368
Absolute majority obtained	330
<i>Act No. 76 of 1995</i> <i>Assented to 14 November 1995</i>	
And see "Divisions in House"	
Local Government (Further Amendment) Bill - (Mr Maclellan, Pakenham)	
First reading	219
Second reading	224
Subsequent proceedings	249-50, 268, 303
Absolute majority obtained	249, 250
<i>Act No. 33 of 1995</i> <i>Assented to 6 June 1995</i>	
And see "Divisions in House"	

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Lotteries Gaming and Betting (Betting) Bill - (Mr Reynolds)	
First reading	29
Second reading	31
Subsequent proceedings	34, 80, 97, 138, 175
<i>Act No. 77 of 1994</i> <i>Assented to 22 November 1994</i>	
Lotteries Gaming and Betting (General Amendment) Bill - (Mr Reynolds)	
First reading	96
Second reading	107
Subsequent proceedings	132, 139, 166
Governor's Message recommending appropriation	138
<i>Act No. 100 of 1994</i> <i>Assented to 13 December 1994</i>	
Marcus Oldham College Bill - (Mr Hayward)	
First reading	354
Second reading	358
Subsequent proceedings	366, 370, 393, 410
Governor's Message recommending appropriation	368
Bill ruled a Private Bill, treated as a Public Bill, fees dispensed with	370
<i>Act No. 81 of 1995</i> <i>Assented to 28 November 1995</i>	
Margarine (Repeal) Bill - (Mr McGrath, Wimmera)	
First reading	29
Second reading	30
Subsequent proceedings	34, 37, 56, 76
Governor's Message recommending appropriation	37
<i>Act No. 64 of 1994</i> <i>Assented to 18 October 1994</i>	
Medical Practice and Nurses Acts (Amendment) Bill - (Mrs Tehan)	
First reading	222
Second reading	230
Subsequent proceedings	290, 303, 304
<i>Act No. 49 of 1995</i> <i>Assented to 14 June 1995</i>	
Melbourne and Olympic Parks (Amendment) Bill - (Mr Reynolds)	
First reading	222-3
Second reading	233
Subsequent proceedings	259, 280, 303
Governor's Message recommending appropriation	240
<i>Act No. 34 of 1995</i> <i>Assented to 6 June 1995</i>	

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Melbourne City Link Authority Bill - (Mr Brown)	
First reading	100
Second reading	113
Subsequent proceedings	113-4, 132, 165-6, 175, 176
Governor's Message recommending appropriation	138
<i>Act No. 116 of 1994</i> <i>Assented to 20 December 1994</i>	
And see "Divisions in House"	
Melbourne City Link Bill - (Mr Stockdale)	
First reading	342
Second reading	360
Subsequent proceedings	360-2, 366, 387, 390, 403-7, 409, 410, 411
Governor's Message recommending appropriation	368
Absolute majority obtained	405, 407
<i>Act No. 107 of 1995</i> <i>Assented to 12 December 1995</i>	
And see "Divisions in House"	
Melbourne Sports and Aquatic Centre Bill - (Mr Reynolds)	
First reading	96
Second reading	108
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	108
Subsequent proceedings	132, 157-8, 175, 176
Governor's Message recommending appropriation	138
Absolute majority obtained	157
<i>Act No. 117 of 1994</i> <i>Assented to 20 December 1994</i>	
Mental Health (Amendment) Bill - (Mrs Tehan)	
First reading	318
Second reading	322
Subsequent proceedings	333, 344, 347, 373, 403, 411
Governor's Message recommending appropriation	336
<i>Act No. 98 of 1995</i> <i>Assented to 5 December 1995</i>	
Mildura College Lands (Amendment) Bill - (Mr Hayward)	
First reading	211
Second reading	214
Subsequent proceedings	230, 260, 274
<i>Act No. 26 of 1995</i> <i>Assented to 30 May 1995</i>	

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Miscellaneous Acts (Health and Justice) Amendment Bill - (Mrs Tehan)	
First reading	342
Second reading	346-7
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	347
Further statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	375
Subsequent proceedings	366, 375-6, 383-4, 410, 411
Absolute majority obtained	384
Governor's Message recommending appropriation <i>Act No. 99 of 1995</i> <i>Assented to 5 December 1995</i> And see "Divisions in House"	368
Miscellaneous Acts (Omnibus Amendments) Bill - (Mr Stockdale)	
First reading	342
Second reading	346
Subsequent proceedings	371, 410
Governor's Message recommending appropriation <i>Act No. 100 of 1995</i> <i>Assented to 5 December 1995</i>	366, 368
National Environment Protection Council (Victoria) Bill - (Mr Coleman)	
First reading	160
Second reading	164
Subsequent proceedings	191, 209, 218
Governor's Message recommending appropriation <i>Act No. 10 of 1995</i> <i>Assented to 26 April 1995</i>	176
National Parks (Yarra Ranges and Other Amendments) Bill - (Mr Coleman)	
First reading	223
Second reading	230
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	230
Subsequent proceedings	282, 303, 304
Governor's Message recommending appropriation	240
Absolute majority obtained <i>Act No. 57 of 1995</i> <i>Assented to 20 June 1995</i>	282

Office of the Regulator-General (Amendment) Bill -
(Mr Smith, Polwarth)

First reading	95
Second reading	106
Subsequent proceedings	132, 176, 179, 197, 205
<i>Act No. 5 of 1995</i>	<i>Assented to 28 March 1995</i>
And see "Divisions in House"	

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

First reading	188
Second reading	192
Subsequent proceedings	211
Governor's Message recommending appropriation	205
<i>Bill not returned from Council - Bill lapsed in Council</i>	

Planning and Environment (Development Contributions) Bill -
(Mr Maclellan, Pakenham)

First reading	232
Second reading	236
Subsequent proceedings	264-5, 283, 304
Motion for concurrent debate	258
<i>Act No. 50 of 1995</i>	<i>Assented to 14 June 1995</i>

Planning and Environment (Miscellaneous Amendments) Bill -
(Mr Maclellan, Pakenham)

First reading	232
Second reading	236
Subsequent proceedings	264-5, 283, 303
Motion for concurrent debate	258
<i>Act No. 35 of 1995</i>	<i>Assented to 6 June 1995</i>

Planning Authorities Repeal Bill - (Mr Maclellan, Pakenham)

First reading	100
Second reading	113
Subsequent proceedings	132, 143-4, 175, 176
<i>Act No. 118 of 1994</i>	<i>Assented to 20 December 1994</i>
And see "Divisions in House"	

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Plant Health and Plant Products Bill - (Mr McGrath, Wimmera)	
First reading	210
Second reading	214
Subsequent proceedings	233, 268, 304
Governor's Message recommending appropriation	219
<i>Act No. 51 of 1995</i> <i>Assented to 14 June 1995</i>	
Ports Acts (Amendment) Bill - (Mr Stockdale)	
First reading	95
Second reading	106
Subsequent proceedings	132, 198, 234, 242, 258
Governor's Message recommending appropriation	138
<i>Act No. 23 of 1995</i> <i>Assented to 16 May 1995</i>	
And see "Divisions in House"	
Port Services Bill - (Mr Stockdale)	
First reading	319
Second reading	322
Subsequent proceedings	333, 343-4, 377, 410
Governor's Message recommending appropriation	336
<i>Act No. 82 of 1995</i> <i>Assented to 28 November 1995</i>	
And see "Divisions in House"	
Prevention of Cruelty to Animals (Amendment) Bill - (Mr McGrath, Wimmera)	
First reading	308
Second reading	310-1
Subsequent proceedings	314, 320, 344, 354, 368
Governor's Message recommending appropriation	317
<i>Act No. 77 of 1995</i> <i>Assented to 14 November 1995</i>	
Professional Boxing and Martial Arts Bill - (Mr Reynolds)	
First reading	354
Second reading	358
Subsequent proceedings	366
Governor's Message recommending appropriation	368
Bill lapsed in Assembly	

Project Development and Construction Management Bill - (Mr Maclellan, Pakenham)	
First reading	99
Second reading	112
Subsequent proceedings	132, 148-9, 166, 175
Governor's Message recommending appropriation	138
<i>Act No. 101 of 1994</i> <i>Assented to 13 December 1994</i>	
And see "Divisions in House"	
Property Law (Amendment) Bill - (From Council - Mrs Wade)	
First reading	48
Second reading	52
Subsequent proceedings	34, 81, 90
<i>Act No. 71 of 1994</i> <i>Assented to 25 October 1994</i>	
Prostitution Control Bill - (Mrs Wade)	
First reading	84
Second reading	85
Governor's Message recommending appropriation	90
Subsequent proceedings	109, 119-20, 128, 132, 164, 175
<i>Act No. 102 of 1994</i> <i>Assented to 13 December 1994</i>	
And see "Divisions in House"	
Public Prosecutions (Amendment) Bill - (Mrs Wade)	
First reading	232
Second reading	236
Subsequent proceedings	262-4, 283, 303
Governor's Message recommending appropriation	240
Absolute majority obtained	264
<i>Act No. 36 of 1995</i> <i>Assented to 6 June 1995</i>	
And see "Divisions in House"	
Public Sector Management (Amendment) Bill - (Mr Kennett)	
First reading	94
Second reading	106
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	106
Subsequent proceedings	132, 181-2, 198, 205
Absolute majority obtained	182
<i>Act No. 6 of 1995</i> <i>Assented to 28 March 1995</i>	
And see "Divisions in House"	

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Public Sector Management and Parliamentary Officers (Amendment) Bill - (Mr Kennett)	
First reading	357
Second reading	360
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	360
Subsequent proceedings	366, 387
Governor's Message recommending appropriation Bill lapsed in Assembly	369
Public Transport Competition Bill - (Mr Brown)	
First reading	245
Second reading	249
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	249
Subsequent proceedings	298, 305-6, 325, 336
Absolute majority obtained	306
Governor's Message recommending appropriation <i>Act No. 68 of 1995</i> <i>Assented to 17 October 1995</i>	258
Queen Victoria Women's Centre Bill - (Mrs Wade)	
First reading	96
Second reading	108
Subsequent proceedings	132, 139, 162, 175
Governor's Message recommending appropriation <i>Act No. 103 of 1994</i> <i>Assented to 13 December 1994</i>	138
Racing (Amendment) Bill - (Mr Reynolds)	
First reading	318
Second reading	321
Subsequent proceedings	333, 337, 366, 377, 387, 410
Governor's Message recommending appropriation <i>Act No. 83 of 1995</i> <i>Assented to 28 November 1995</i>	336
Retail Tenancies (Amendment) Bill - (Mr Heffernan)	
First reading	219
Second reading	223
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	223
Subsequent proceedings	246-7, 268, 303
Absolute majority obtained	247
<i>Act No. 37 of 1995</i> <i>Assented to 6 June 1995</i> And see "Divisions in House"	

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Road Safety (Amendment) Bill - (Mr Brown)	
First reading	179
Second reading	186
Subsequent proceedings	196, 209, 218
<i>Act No. 7 of 1995</i> <i>Assented to 19 April 1995</i>	
Road Safety (Further Amendment) Bill - (Mr Brown)	
First reading	51
Second reading	55
Subsequent proceedings	76, 83, 114, 138
<i>Act No. 78 of 1994</i> <i>Assented to 22 November 1994</i>	
Road Safety (Miscellaneous Amendments) Bill - (Mr Brown)	
First reading	245
Second reading	252
Subsequent proceedings	289, 303, 304
<i>Act No. 58 of 1995</i> <i>Assented to 14 June 1995</i>	
Road Transport Charges (Victoria) Bill - (Mr Brown)	
First reading	282
Second reading	288
Subsequent proceedings	298, 306, 325, 336
Governor's Message recommending appropriation	304
<i>Act No. 69 of 1995</i> <i>Assented to 17 October 1995</i>	
Road Transport (Dangerous Goods) Bill - (Mr Brown)	
First reading	319
Second reading	321
Subsequent proceedings	323, 339, 373, 410
<i>Act No. 84 of 1995</i> <i>Assented to 28 November 1995</i>	
Royal Agricultural Show-grounds (Amendment) Bill - (From Council - Mr McGrath, Wimmera)	
First reading	49
Second reading	52
Subsequent proceedings	34, 82, 90
Bill ruled a Private Bill, treated as a Public Bill, fees dispensed with	82
<i>Act No. 72 of 1994</i> <i>Assented to 25 October 1994</i> And see "Divisions in Committee"	
Royal Botanic Gardens (Amendment) Bill - (Mr Coleman)	
First reading	188
Bill withdrawn	197

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Royal Botanic Gardens and Victorian Conservation Trust (Amendment) Bill - (Mr Coleman)	
First reading	219
Second reading	224
Subsequent proceedings	252, 268, 303
Governor's Message recommending appropriation	240
<i>Act No. 38 of 1995 Assented to 6 June 1995</i>	
Sports Drug Testing Bill - (Mr Reynolds)	
First reading	160
Second reading	164-5
Subsequent proceedings	181, 189, 195
<i>Act No. 3 of 1995 Assented to 15 March 1995</i>	
Stamps (Amendment) Bill - (Mr Stockdale)	
First reading	219
Second reading	223
Subsequent proceedings	242, 260, 274, 303, 304
Governor's Message recommending appropriation	240
<i>Act No. 27 of 1995 Assented to 30 May 1995</i>	
Stamps (Further Amendment) Bill - (Mr Stockdale)	
First reading	282
Second reading	287
Subsequent proceedings	287, 298, 303, 304
Governor's Message recommending appropriation	286
<i>Act No. 52 of 1995 Assented to 14 June 1995</i>	
State Deficit Levy (Repeal) Bill - (Mr Stockdale)	
First reading	233
Second reading	236
Subsequent proceedings	279, 292, 304
Governor's Message recommending appropriation	240
<i>Act No. 53 of 1995 Assented to 14 June 1995</i>	
State Taxation (Amendment) Bill - (Mr Stockdale)	
First reading	95
Second reading	106
Statement made pursuant to s. 85(5)(c) of the Constitution Act 1975	106
Subsequent proceedings	132, 162, 175, 176
Governor's Message recommending appropriation	138
Absolute majority obtained	162
<i>Act No. 119 of 1994 Assented to 20 December 1994</i>	

State Taxation (Further Amendment) Bill - (Mr Stockdale)	
First reading	329
Second reading	331
Subsequent proceedings	333, 362-3, 366, 393, 411
Governor's Message recommending appropriation	336
<i>Act No. 101 of 1995</i> <i>Assented to 5 December 1995</i>	
And see "Divisions in House"	
Statute Law Revision Bill - (Mrs Wade)	
First reading	160
Second reading	165
Subsequent proceedings	191, 208, 218
<i>Act No. 11 of 1995</i> <i>Assented to 26 April 1995</i>	
Subordinate Legislation Bill - (Mr Kennett)	
First reading	95
Second reading	106
Subsequent proceedings	132, 144, 146, 167, 175
<i>Act No. 104 of 1994</i> <i>Assented to 13 December 1994</i>	
Superannuation Acts (Further Amendment) Bill - (Mr Smith, Polwarth)	
First reading	95
Second reading	114
Subsequent proceedings	132, 157, 175, 176
Governor's Message recommending appropriation	138
<i>Act No. 120 of 1994</i> <i>Assented to 20 December 1994</i>	
Superannuation Acts (General Amendment) Bill - (Mr Smith, Polwarth)	
First reading	244-5
Second reading	252
Subsequent proceedings	287, 303, 304
Governor's Message recommending appropriation	258
<i>Act No. 64 of 1995</i> <i>Assented to 27 June 1995</i>	
Superannuation Acts (Miscellaneous Amendments) Bill - (Mr Stockdale)	
First reading	342
Second reading	346
Subsequent proceedings	366, 399, 410, 411
Governor's Message recommending appropriation	369
<i>Act No. 102 of 1995</i> <i>Assented to 5 December 1995</i>	

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The Constitution Act Amendment (Amendment) Bill - (Mr Kennett)	
First reading	341
Second reading	345
Subsequent proceedings	366, 396-7, 407-8, 410, 411
<i>Act No. 103 of 1995</i> <i>Assented to 5 December 1995</i>	
And see "Divisions in House"	
Therapeutic Goods (Victoria) Bill - (Mrs Tehan)	
First reading	52
Second reading	55
Subsequent proceedings	76, 81, 98, 132, 138
<i>Act No. 79 of 1994</i> <i>Assented to 22 November 1994</i>	
Trade Measurement Bill - (Mr Heffernan)	
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SESSION 1994-96

SUMMARY OF PROCEEDINGS ON BILLS

- * Bills initiated in the Legislative Assembly during the Session - 173
 - Passed and assented to 165
 - Lapsed 4
 - Withdrawn 3
 - Passed the Legislative Assembly but not
returned from the Council 1
(In the Legislative Council, 1 Bill lapsed)
- 173
- * Including 8 Bills brought from Legislative Council, of which 7 were passed and assented to and one lapsed.

SESSION 1994-96

MEMBERS OF THE LEGISLATIVE ASSEMBLY

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

FIFTY-SECOND PARLIAMENT

SECOND SESSION

6 September 1994 - 5 March 1996

Member	District	Number of Electors on Rolls	Number of Electors who voted	First Preference Votes	Final Votes after Distribution	Per- centage of Electors who voted
Andrianopoulos, Alex	Mill Park	32,275	31,020	14,722	18,318	96.11
Ashley, Gordon Wetzell	Bayswater	33,909	32,275	16,806	-	95.18
Baker, The Honourable Ian Malcolm John 1	Sunshine	35,091	33,115	17,918	-	94.37
Batchelor, Peter	Thomas- town	33,112	31,450	16,592	-	94.98
Bildstien, Craig Stephen 2	Mildura	30,948	29,769	19,141	-	96.19
Bracks, Stephen Phillip 3	Williams- town	33,159	28,407	15,362	-	85.67
Brown, The Honourable Alan John 4	Gippsland West	29,502	28,320	18,000	-	95.99
Brumby, John Mansfield 5	Broad- meadows	32,055	26,103	16,316	-	81.43
Carli, Carlo 6	Coburg	33,217	28,245	13,691	-	85.03
Clark, Robert William 7	Box Hill	33,186	31,613	18,547	-	95.26
Coghill, Dr Kenneth Alastair 8	Werribee	32,645	31,518	14,857	17,797	96.55
Cole, Neil Donald	Melbourne	33,560	30,422	14,731	17,721	90.65
Coleman, The Honourable Charles Geoffrey 9	Bennetts- wood	33,180	31,574	17,256	-	95.16
Cooper, Robert Fitzgerald 10	Morning- ton	30,437	28,981	16,760	-	95.22
Cunningham, David James 11	Melton	31,563	30,085	15,184	-	95.32

Member	District	Number of Electors on Rolls	Number of Electors who voted	First Preference Votes	Final Votes after Distribution	Percentage of Electors who voted
Davis, George Ian	Essendon	32,819	30,792	12,757	15,159	93.82
Dean, Dr Robert Logan	Berwick	31,776	30,483	14,750	-	95.93
Delzoppo, The Honourable John Edward 12	Narracan	31,176	30,045	15,352	-	96.37
Dollis, Demetri	Richmond	35,127	32,150	15,945	18,858	91.53
Doyle, Robert Keith Bennett	Malvern	33,783	31,526	21,065	-	93.32
Elder, Stephen Noel 13	Ripon	31,622	30,516	16,028	-	96.50
Elliott, Mrs Lorraine Clare	Mooroolbark	31,401	30,138	16,114	-	95.98
Finn, Bernard (Bernie) Thomas Christopher	Tullamarine	32,178	30,896	13,032	15,158	96.02
Garbutt, Ms Sherryl Maree	Bundoora	34,662	33,359	15,230	16,390	96.24
Gude, The Honourable Phillip Archibald 14	Hawthorn	34,657	32,583	20,571	-	94.02
Haermeyer, Andre	Yan Yean	30,931	29,862	12,113	14,754	96.54
Hamilton, Keith Graeme	Morwell	33,493	32,290	13,524	16,906	96.41
Hayward, The Honourable Donald Keith 15	Prahran	35,113	31,424	16,502	-	89.49
Heffernan, The Honourable Vincent Patrick, O.A.M. 16	Ivanhoe	32,762	31,261	15,318	-	95.42
Henderson, Mrs Ann Mary	Geelong	34,106	32,351	14,388	15,890	94.85
Honeywood, Phillip Neville 17	Warrandyte	30,559	29,277	18,108	-	95.80
Hulls, Rob Justin 18	Niddrie	-	-	-	-	-
Hyams, Tony	Dromana	32,537	30,976	17,487	-	95.20
Jasper, Kenneth Stephen 19	Murray Valley	33,179	31,549	22,744	-	95.09
Jenkins, Geoffrey Paul	Ballarat West	30,769	29,715	14,091	15,210	96.57
John, The Honourable Michael 20	Bendigo East	30,992	29,857	15,755	-	96.34

Member	District	Number of Electors on Rolls	Number of Electors who voted	First Preference Votes	Final Votes after Distribution	Percentage of Electors who voted
Kennan, The Honourable James Harley, Q.C. 21	Broadmeadows	30,828	28,930	16,380	-	93.84
Kennett, The Honourable Jeffrey Gibb 22	Burwood	33,375	31,696	17,560	-	94.97
Kilgour, Donald	Shepparton	31,635	30,321	20,385	-	95.85
Kirner, The Honourable Joan Elizabeth, A.M. 23	Williamstown	32,774	31,020	17,167	-	94.65
Leigh, Geoffrey Graeme 24	Mordialloc	31,791	30,261	15,828	-	95.19
Leighton, Michael Andrew	Preston	33,116	31,142	17,403	-	94.04
Loney, Peter James	Geelong North	32,908	31,519	15,653	-	95.78
Lupton, Hurtle Reginald O.A.M.	Knox	32,710	31,363	15,281	-	95.88
McArthur, Stephen James	Monbulk	30,993	29,615	14,584	-	95.55
McGill, Mrs Denise Frances	Oakleigh	32,554	30,644	15,485	-	94.13
McGrath, John Francis 25	Warrnambool	32,448	31,503	23,400	-	97.09
McGrath, The Honourable William (Bill) Desmond 26	Wimmera	33,507	32,604	25,325	-	97.31
McLellan, Frederick Peter	Frankston East	29,060	27,966	12,470	13,406	96.24
McNamara, The Honourable Patrick John 27	Benalla	31,795	30,467	20,306	-	95.82
Maclellan, The Honourable Robert Roy Cameron 28	Pakenham	30,408	28,932	16,251	-	95.15
Marple, Ms Carole Frances	Altona	30,268	29,013	14,651	-	95.85
Maughan, Noel John 29	Rodney	31,603	30,453	21,404	-	96.36
Micallef, Edward Joseph	Springvale	33,567	31,969	15,569	-	95.24
Mildenhall, Bruce Allan	Footscray	32,631	30,570	16,408	-	93.68
Napthine, Dr Denis Vincent 30	Portland	30,939	29,720	19,409	-	96.06

Member	District	Number of Electors on Rolls	Number of Electors who voted	First Preference Votes	Final Votes after Distribution	Percentage of Electors who voted
Pandazopoulos, John	Dandenong	33,075	31,399	13,386	15,436	94.93
Paterson, Alister Irvine	South Barwon	30,907	29,630	13,970	17,521	95.87
Perrin, David John 31	Bulleen	32,423	30,899	20,200	-	95.30
Perton, Victor John 32	Doncaster	33,557	32,093	20,997	-	95.64
Pescott, The Honourable Roger 33	Mitcham	33,108	31,717	16,735	-	95.80
Peulich, Mrs Inga	Bentleigh	33,560	31,885	16,197	-	95.01
Phillips, Wayne	Eltham	35,275	33,941	18,823	-	96.22
Plowman, Antony (Tony) Fulton	Benambra	31,450	29,670	12,737	18,572	94.34
Plowman, The Honourable Sidney James 34	Evelyn	32,350	30,937	17,445	-	95.63
Reynolds, The Honourable Thomas (Tom) 35	Gisborne	31,646	30,248	18,478	-	95.58
Richardson, John Ingles 36	Forest Hill	33,378	31,876	19,989	-	95.50
Roper, The Honourable Thomas William 37	Coburg	33,221	30,661	14,662	-	92.29
Rowe, Gary James	Cranbourne	33,106	32,041	15,949	-	96.78
Ryan, Peter Julian	Gippsland South	32,704	31,150	19,879	-	95.25
Sandon, The Honourable Malcolm John 38	Carrum	33,458	31,913	13,708	15,598	95.38
Seitz, George	Keilor	33,939	32,428	16,154	-	95.55
Sercombe, Robert Charles Grant 39	Niddrie	32,033	30,756	13,827	15,594	96.01
Sheehan, The Honourable Anthony John 40	Northcote	33,902	31,786	16,288	-	93.76
Smith, Ernest Ross 41	Glen Waverley	31,839	30,498	19,774	-	95.79
Smith, The Honourable Ian Winton 42	Polwarth	32,325	30,987	19,764	-	95.86
Spry, Garry Howard	Bellarine	30,582	29,333	14,333	-	95.92

Member	District	Number of Electors on Rolls	Number of Electors who voted	First Preference Votes	Final Votes after Distribution	Percentage of Electors who voted
Steggall, Barry Edward Hector 43	Swan Hill	31,530	30,379	22,361	-	96.35
Stockdale, The Honourable Alan Robert 44	Brighton	32,769	30,802	20,936	-	94.00
Tanner, Edgar Miles Ponsonby	Caulfield	34,806	32,401	19,842	-	93.09
Tehan, The Honourable Marie Therese 45	Seymour	31,683	30,288	13,869	17,821	95.60
Thompson, Murray Hamilton	Sandringham	33,237	31,495	20,069	-	94.76
Thomson, Kelvin John 46	Pascoe Vale	30,896	28,940	14,332	-	93.67
Thwaites, John William	Albert Park	33,819	30,996	13,764	16,539	91.65
Traynor, Barry Edward	Ballarat East	30,192	28,909	14,133	-	95.75
Treasure, David Lewis	Gippsland East	30,884	29,384	16,225	-	95.14
Turner, Maxwell John	Bendigo West	32,197	30,932	10,788	15,433	96.07
Vaughan, Dr Gerard Marshall 47	Clayton	34,141	32,028	15,377	-	93.81
Wade, The Honourable Jan Louise Murray 48	Kew	33,080	31,115	20,484	-	94.06
Weideman, The Honourable George Graeme 49	Frankston	31,766	30,020	18,447	-	94.50
Wells, Kimberley Arthur	Wantirna	32,131	30,860	17,683	-	96.04
Wilson, Mrs Janet Tindale Calder	Dandenong North	32,542	31,000	14,673	-	95.26

NOTES

The particulars given in the above Table relate to the General Election 1992; the date of each Member's election being 3 October 1992 "the day of polling". Further information concerning the General Election is to be found in "Report to Parliament of the Administration of the 1992 Victorian State Election" prepared by the Chief Electoral Officer for the State of Victoria pursuant to section 144D(1)(d) of the *The Constitution Act Amendment Act 1958*.

Where a Member's Name is printed in bold type the particulars relate to an election held subsequent to the General Election 1992 and the date of such election will be found in the following notes (detailed returns of these by-elections will be found in reports to the Parliament tabled pursuant to section 144D(1)(d) of the *The Constitution Act Amendment Act 1958*.

- 1 The Hon. I.M.J. Baker, Minister for Property and Services from 10 August 1990 to 17 January 1991; Minister for Agriculture from 18 January 1991 to 20 January 1992; Minister for Food and Agriculture from 21 January 1992 to 6 October 1992.
- 2 Mr C.S. Bildstien, Parliamentary Secretary to the Minister for Agriculture from 17 November 1992.
- 3 Mr S.P. Bracks, elected 13 August 1994, vice Hon. J.E. Kirner, A.M., resigned 27 May 1994.
- 4 The Hon. A.J. Brown, Leader of the Opposition from 23 May 1989 to 23 April 1991; Minister for Public Transport from 6 October 1992.
- 5 Mr J.M. Brumby, elected 18 September 1993, vice Hon. J.H. Kennan, resigned; Leader of the Opposition from 30 June 1993.
- 6 Mr C. Carli, elected 14 May 1993, vice Hon. T.W. Roper, resigned.
- 7 Mr R.W. Clark, Parliamentary Secretary to the Treasurer from 17 November 1992.
- 8 The Hon. Dr. K.A. Coghill, Parliamentary Secretary of the Cabinet from 8 April 1982 to 12 October 1988; Speaker from 25 October 1988 to 27 October 1992; Temporary Chairman of Committees from 27 October 1992.
- 9 The Hon. C.G. Coleman, Minister for Natural Resources from 6 October 1992.
- 10 Mr R.F. Cooper, Chairman Public Bodies Review Committee from 25 November 1992, Temporary Chairman of Committees from 27 October 1992.
- 11 Mr D.J. Cunningham, Temporary Chairman of Committees from 27 October 1992.

- 12 The Hon. J.E. Delzoppo, Temporary Chairman of Committees from 3 April 1985 to 14 August 1992; Speaker from 27 October 1992.
- 13 Mr S.N. Elder, Parliamentary Secretary to the Minister for Education from 17 November 1992.
- 14 The Hon. P.A. Gude, Parliamentary Secretary to Cabinet, August 1978 to May 1979; Minister for Industry Services, Minister for Small Business and Minister for Youth Affairs from 6 October 1992 to 9 November 1992; Minister for Industry and Employment from 6 October 1992.
- 15 The Hon. D.K. Hayward, Minister for Education from 6 October 1992.
- 16 The Hon. V.P. Heffernan, Minister for Small Business and Minister responsible for Youth Affairs from 9 November 1992.
- 17 Mr P.N. Honeywood, Parliamentary Secretary to the Minister for Ethnic Affairs from 17 November 1992.
- 18 Mr R.J. Hulls, elected unopposed 29 February 1996, vice Mr R. Sercombe, resigned 5 February 1996. Due to dissolution of Parliament, Member not sworn.
- 19 Mr K.S. Jasper, Temporary Chairman of Committees from 27 April 1982.
- 20 The Hon. M. John, Minister for Community Services and Minister responsible for Aboriginal Affairs from 9 November 1992.
- 21 The Hon. J.H. Kennan, Q.C., Attorney-General from 8 September 1983 to 14 December 1987 and from 2 April 1990 to 6 October 1992; Minister for Planning and Environment (without salary) from 25 February 1986 to 14 December 1987; Minister for Transport from 14 December 1987 to 1 April 1990; Minister for the Arts (without salary) from 10 August 1990 to 6 October 1992; Minister for Major Projects (without salary) from 18 January 1991 to 6 October 1992; Leader of the Opposition from 22 March 1993 to 28 June 1993; resigned 28 June 1993.
- 22 The Hon. J.G. Kennett, Minister without portfolio from 23 December 1980; Minister of Housing from 3 February 1981 to 8 April 1982; Minister of Immigration and Ethnic Affairs (without salary) from 17 February 1981 to 8 April 1982; Leader of the Opposition from 26 October 1982 to 23 May 1989 and from 23 April 1991 to 6 October 1992; Premier and Minister for Ethnic Affairs from 6 October 1992.
- 23 The Hon. J.E. Kirner, A. M., Minister for Conservation, Forests and Lands from 14 March 1985 to 12 October 1988; Minister for Education from 13 October 1988 to 9 August 1990; Premier from 10 August 1990 to 6 October 1993; Minister for Ethnic Affairs (without salary) from 10 August 1990 to 18 January 1991; Leader of the Opposition from 6 October 1992 to 22 March 1993; resigned 27 May 1994.

- 24 Mr G.G. Leigh, Chairman, Community Development Committee from 27 November 1992.
- 25 Mr J.F. McGrath, Temporary Chairman of Committees from 17 March 1992 to 14 August 1992; Deputy Speaker and Chairman of Committees from 27 October 1992.
- 26 The Hon. W.D. McGrath, Minister for Agriculture from 9 November 1992.
- 27 The Hon. P.J. McNamara, Minister for Police and Emergency Services, Minister for Corrections and Minister for Tourism from 6 October 1992; Minister for Agriculture from 6 October 1992 to 9 November 1992.
- 28 The Hon. R.R.C. Maclellan, Minister of Labour and Industry from 31 March 1976 to 18 August 1978; Minister of Consumer Affairs (without salary) from 31 March 1976 to 16 August 1978; Minister of Public Works (without salary) and Minister for Property and Services (without salary) from 10 August 1978 to 16 August 1978; Minister of Transport from 18 August 1978 to 8 April 1982; Minister for Planning from 6 October 1992.
- 29 Mr N.J. Maughan, Temporary Chairman of Committees from 27 October 1992.
- 30 Dr. D.V. Naphthine, Parliamentary Secretary to the Minister for Health from 17 November 1992.
- 31 Mr D.J. Perrin, Chairman, Environment and Natural Resources Committee from 1 December 1992; Temporary Chairman of Committees from 27 October 1992.
- 32 Mr V.J. Perton, Chairman, Scrutiny of Acts and Regulations Committee from 3 December 1992.
- 33 The Hon. R. Pescott, Minister for Industry Services from 9 November 1992.
- 34 The Hon. S.J. Plowman, Speaker from 29 May 1979 to 27 April 1982; Temporary Chairman of Committees from 3 April 1985 to 17 March 1992; Minister for Energy and Minerals and Minister Assisting the Treasurer on State Owned Enterprises from 6 October 1992.
- 35 The Hon. T.C. Reynolds, Minister for Sport, Recreation and Racing from 6 October 1992.
- 36 Mr J.I. Richardson, Temporary Chairman of Committees from 29 May 1979; Chairman, Road Safety Committee from 26 November 1992.

- 37 The Hon. T.W. Roper, Minister of Health from 8 April 1982 to 14 March 1985; Minister for Transport from 14 March 1985 to 14 December 1987; Minister for Planning and Environment and Minister for Consumer Affairs (without salary) from 14 December 1987 to 1 April 1990; Treasurer from 2 April 1990 to 20 January 1992; Minister for Aboriginal Affairs (without salary) from 15 August 1991 to 6 October 1992; Minister for Gaming (without salary) from 21 January 1992 to 6 October 1992; Minister for Employment, Post-Secondary Education and Training from 21 January 1992 to 6 October 1992; resigned 31 March 1994.

- 38 The Hon. B.J. Sandon, Parliamentary Secretary of the Cabinet from 14 March 1989 to 2 April 1990; Minister for Police and Emergency Services from 2 April 1990 to 6 October 1992; Minister for Corrections (without salary) from 2 April 1990 to 6 October 1992.

39. Mr R.C.G. Sercombe, resigned 5 February 1996.

- 40 The Hon. A.J. Sheehan, Minister for Housing and Construction from 10 August 1990 to 17 January 1991; Minister for Finance from 18 January 1991 to 20 January 1992; Treasurer from 21 January 1992 to 6 October 1992.

- 41 Mr E.R. Smith, Temporary Chairman of Committees from 27 October 1992.

- 42 The Hon. I.W. Smith, Minister of Water Supply from 11 June 1970 to 22 December 1970; Minister for Social Welfare from 22 December 1970 to 30 May 1973; Minister for Youth, Sport and Recreation (without salary) from 23 August 1972 to 30 May 1973; Minister of Agriculture from 30 May 1973 to 23 December 1980; Minister for Economic Development from 23 December 1980 to 25 May 1981; Minister for State Development, Decentralization and Tourism (without salary) from 3 February 1981 to 25 May 1981; resigned 29 March 1983; elected 2 March 1985; Minister for Finance from 6 October 1992 to 31 May 1995.

- 43 Mr B.E.H. Steggall, Temporary Chairman of Committees from 25 October 1988 to 14 August 1992; Senior Parliamentary Secretary to the Premier from 17 November 1992.

- 44 The Hon. A.R. Stockdale, Treasurer from 6 October 1992.

- 45 The Hon. M.T. Tehan, Minister for Health Services; Minister for Community Services and Minister for Aboriginal Affairs from 6 October 1992 to 9 November 1992; Minister for Health from 9 November 1992.

- 46 Mr K.J. Thomson, resigned 5 February 1996.

- 47 Dr G.M. Vaughan, Temporary Chairmen of Committees from 27 April 1982.

- 48 The Hon. J.L.M. Wade, Attorney-General, Minister for Fair Trading and Minister for Women's Affairs from 6 October 1992.
- 49 The Hon. G.G. Weideman, Minister for Tourism and Minister Assisting the Minister of Health from 5 June 1981 to 3 April 1982; Minister for State Development, Decentralization and Tourism (without salary) from 5 June 1981 to 1 July 1981; Temporary Chairman of Committees from 27 October 1992; Chairman, Public Accounts and Estimates Committee from 8 December 1992.

OFFICERS OF THE LEGISLATIVE ASSEMBLY

Speaker	..	..	THE HONOURABLE JOHN EDWARD DELZOPPO, M.P.
Chairman of Committees	..	..	JOHN FRANCIS McGRATH, M.P.
Clerk of the Legislative Assembly	..	..	JOHN GREGORY LITTLE, J.P. (Retired 29 September 1995) succeeded by PHILIP JOHN MITHEN (Appointed 24 October 1995)
Deputy Clerk	..	..	PHILIP JOHN MITHEN succeeded by RAYMOND WILLIAM PURDEY (Appointed 12 December 1995)
Assistant Clerk and Clerk of Committees	..	..	RAYMOND WILLIAM PURDEY succeeded by MARCUS LEONARD BROMLEY (Appointed 27 February 1996)
Serjeant-at-Arms	..	..	MARCUS LEONARD BROMLEY

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 1, 2, 3 and 4

No. 1 - Tuesday, 6 September 1994

- 1 The Legislative Assembly met pursuant to Proclamation of His Excellency the Governor bearing date the eleventh day of August 1994 - Mr Speaker took the Chair and read the prayer.

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

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

PROCLAMATION

By the Governor of the State of Victoria

The Parliament of Victoria is adjourned until the day and hour fixed by the President of the Legislative Council and the Speaker of the Legislative Assembly respectively.

I, the Governor of the State of Victoria, prorogue the Parliament until Tuesday, 6 September 1994, and fix Tuesday, 6 September 1994 at 2.30 pm, as the time for the commencement and holding of the next session of Parliament, for the dispatch of business, in the Parliament Houses, situated in Spring Street, Melbourne.

The Honourable the Members of the Legislative Council and the Members of the Legislative Assembly are required to give their attendance at that time and place.

Given under my hand and the seal of Victoria on 11 August 1994

(L.S.)

R.E. McGARVIE

Governor

By His Excellency's Command

J.G. KENNETT

Premier

- 2 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - The following message was delivered by the Usher of the Black Rod -

Mr Speaker:

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

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

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

- 3 **RESIGNATION OF SEAT** - Mr Speaker announced that on 27 May, 1994 he had received the following letter:

Hon J Delzoppo
Speaker
Legislative Assembly
Parliament House
Melbourne 3002

Dear Mr Speaker,

I wish to inform you that I intend to resign from the seat of Williamstown in the Victorian Parliament on June 1st 1994.

It has been an enormous privilege to serve the people of Williamstown and the people of Victoria as Minister for Conservation, Forests and Lands, Minister for Education, Minister for Ethnic Affairs, Minister for Women's Affairs and as the first woman Premier of Victoria.

I have been proud also to represent the best social justice traditions of the Australian Labor Party.

First I need to tackle the task of restoring my health, back, ankles, wrist. Then when they are fixed or at least under control I will look for another challenge which doesn't demand my whole life.

Since I stepped down as Leader of the Opposition I have enjoyed my role as backbencher but I believe that the position of Member for Williamstown can now best be filled by a younger person who will be part of a future Labor government.

Can I also say, Mr. Speaker, how much I have valued our friendship and your stewardship of the Parliament: I appreciate more each year the importance of a well-run Parliament. We still have a long way to go!

Finally, my heartfelt thanks to all the parliamentary staff who have looked after me so well. From John Little and Assembly and Council staff, to Library, Hansard, Dining Room, Papers Room, Maintenance, Gardening and Security staff, you couldn't meet a better group of people. I shall miss them.

Yours sincerely,

JOAN E KIRNER
Member for Williamstown

- 4 **ISSUE OF AND RETURN TO WRIT** - Mr Speaker announced that, on 17 June 1994, he had issued a Writ for the election of a Member to serve for the Electoral District of Williamstown in the place of the Honourable Joan Elizabeth Kirner, resigned; and that he had received a return to the said Writ by which it appeared that Stephen Phillip Bracks, Esquire, had been duly elected for the Electoral District of Williamstown, in pursuance of the said Writ.
- 5 **MEMBER SWORN** - Stephen Phillip Bracks, Esquire, was then introduced and took and subscribed the Affirmation required by law.
- 6 **DEATH OF THE HONOURABLE IVAN ARCHIE SWINBURNE, CMG, ALLEN ROBERT BATEMAN, ESQUIRE AND THE HONOURABLE JOHN MALCOLM WALTON** - Motion made and question -
 - 1 That this House expresses its sincere sorrow at the death of the Honourable Ivan Archie Swinburne, CMG, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Council for the Electoral Province of North Eastern from 1946 to 1976 and Minister for Housing and Materials from 1951 to 1952
 - 2 That this House expresses its sincere sorrow at the death of Allen Robert Bateman, Esquire, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Essendon from 1947 to 1950
 - 3 That this House expresses its sincere sorrow at the death of the Honourable John Malcolm Walton, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Council for the Electoral Province of Melbourne North from 1958 to 1982.

(*Mr Kennett*) - put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 7 **ADJOURNMENT** - Motion made and question - That, as a further mark of respect to the memory of the late Honourable Ivan Archie Swinburne, CMG, Allen Robert Bateman, Esquire, and the Honourable John Malcolm Walton, the House do now adjourn until 8.00 p.m. this day. (*Mr Kennett*) - put and agreed to.

And the House, at 6.03 p.m. adjourned until 8.00 p.m. this day.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 2 - Tuesday, 6 September 1994

(EIGHT O'CLOCK)

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

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- 2 **DEATH OF MR JOHN NEWMAN, MEMBER FOR CABRAMATTA** - Mr Speaker announced that he proposed that the House express its sincere regrets at the death of Mr John Newman, Member for Cabramatta, and at the circumstances of his death and that on behalf of the House, he would extend its condolences to Mr Newman's family and fiancée and to the Parliament of New South Wales.
- 3 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 4 **FISHERIES AND AQUACULTURE COUNCIL** - Motion made, by leave, and question - That there be presented to this House a copy of the Resolutions of the 23rd Meeting of the Australian and New Zealand Fisheries and Aquaculture Council (*Mr Gude*) - put and agreed to.
- 5 **PAPER** - Mr Gude presented:
 Resolutions of the 23rd Meeting of the Australian and New Zealand Fisheries and Aquaculture Council - Return to the foregoing Order.
 Ordered to lie on the Table.
- 6 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Weideman, Chairman, brought up an Interim Report from the Public Accounts and Estimates Committee upon the State's Budget and Financial Management Framework, together with an Appendix and Minutes of Evidence.
 Ordered to lie on the Table and the Report and Appendix to be printed.
- 7 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Weideman, Chairman, brought up a Report from the Public Accounts and Estimates Committee upon the Housing Guarantee Fund Limited, together with Appendices, Bibliography, List of Witnesses, List of Organisations providing Submissions and Minutes of Evidence.
 Ordered to lie on the Table and the Report, Appendices, Bibliography, List of Witnesses and List of Organisations providing Submissions to be printed.
- 8 **LAW REFORM COMMITTEE** - Mr Cole brought up the First Report from the Law Reform Committee upon the inquiry into the Law relating to Directors and Managers of Insolvent Corporations entitled *Curbing the Phoenix Company*, together with Appendices, Submissions and Minutes of Evidence.
 Ordered to lie on the Table and the Report and Appendices to be printed.
- 9 **LAW REFORM COMMITTEE** - Mr Cole brought up a Final Report from the Law Reform Committee upon the inquiry into Restitution for Victims of Crime, together with Appendices and Submissions.
 Ordered to lie on the Table and Report and Appendices to be printed.
- 10 **PAPERS** -
 Mr Speaker presented:
 BLF (De-recognition) Act 1985 - Twenty-seventh and Twenty-eighth Reports of the Custodian.
 Severally ordered to lie on the Table and to be printed.

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

Agricultural Industry Development Act 1990 - Murray Valley (Victoria) Wine Grape Industry Development Order

Capital Works Authority - Report for the year 1993-94

Central Gippsland College of TAFE - Report for the year 1993

Constitution Act Amendment Act 1958 -

Report on the Broadmeadows District and Doutta Galla Province By-Elections, 18 September 1993

Statement of a function conferred on the Electoral Commissioner, 7 June 1994

Crimes Act 1958 - Authorities pursuant to section 464Z (two papers)

Drugs, Poisons and Controlled Substances Act 1981 -

Poisons Code prepared by the Minister for Health

Notice of the Poisons Code published in the Government Gazette

Standard for the Uniform Scheduling of Drugs and Poisons No. 8 (effective date 24 December 1993) together with -

Amendment No. 1 (effective date 4 March 1994)

Amendment No. 2 (effective date 1 July 1994)

Amendment No. 3 (effective date 1 July 1994)

Employee Relations Commission - Report for the period 1 March to 31 October 1993

Flora and Fauna Guarantee Act 1988 - Order in Council adding item to Schedule 3 - List of potentially threatening processes

Interpretation of Legislation Act 1984, section 32(4)(b) - Gas and Fuel Corporation (Gas Installation) Regulations 1992 (Statutory Rule No. 119/1992) - Copies of the following documents replacing documents which accompanied the Statutory Rule tabled on 11 August 1992:

AS 1210 - 1989 - Unfired Pressure Vessels Code (amended by AS 1210/Amendment 3/1993-12-13)

AS 1530.1 - 1994 - Methods for fire tests on building materials, components and structures Part 1: Combustibility test for materials (replaces AS 1530.1 - 1984)

AS 1796 - 1993 - Certification of welders and welding supervisors (amended by AS 1796/Amendment 1/1994-02-14)

AS 2129 - 1994 - Flanges for pipes, valves and fittings (replaces AS 2129 - 1982)

AS 2207 - 1994 - Non-destructive testing - Ultrasonic testing of fusion welded joints in carbon and low alloy steel (replaces AS 2207 - 1980)

AS 2700 - 1985 - Colour standards for general purposes (amended by AS 2700/Amendment 1/1994-03-14)

AS 3688 - 1994 - Water supply - Copper and copper alloy body compression and capillary fittings and threaded-end connectors (replaces AS 3688 - 1990)

ASTM A 53 - 93a - Standard specification for pipe, steel, black and hot-dipped, Seamless (replaces ASTM A 53 - 90b)

ASTM A 105/A 105M - 93b - Standard specification for forgings, carbon steel, for piping components (replaces ASTM A 105 - 92)

AG 501 - 1994 - Code for industrial and commercial gas fired appliances (replaces AG 501 - 1992)

John Batman College of TAFE - Report for the year 1993

Parliamentary Officers Act 1975 -

Statement of Appointments and Alterations of Classifications during the year 1993-94 in the -

Department of the Legislative Council
 Department of the Legislative Assembly
 Department of the Parliament Library
 Department of the House Committee
 Department of the Reporting Staff of the Victorian Parliamentary Debates

Statement of Persons Temporarily Employed during the year 1993-94 in the -

Department of the Legislative Council
 Department of the Legislative Assembly
 Department of the Parliament Library
 Department of the House Committee
 Department of the Reporting Staff of the Victorian Parliamentary Debates

Patriotic Funds Council - Report for the year 1993

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

All Planning Schemes (State Section) - No. S31
 All Planning Schemes in the Metropolitan Region (Regional Section) - No. R120
 Alexandra Planning Scheme - Nos. L30, L32
 Altona Planning Scheme - No. RL 156
 Avoca Planning Scheme - No. L14
 Bacchus Marsh Planning Scheme - Nos. L33 Part 2, L37
 Bairnsdale (Shire) Planning Scheme - Nos. L37, L41
 Ballan Planning Scheme - No. L12 Part 3
 Ballarat (City) Planning Scheme - Nos. L42, L44
 Bannockburn Planning Scheme - Nos. L14, L15, R11
 Barrabool Planning Scheme - Nos. L12, R17, R21, R24, RL1 - SC, RL10, RL22
 Bass Planning Scheme - Nos. L30, L32 Part 1
 Beechworth Planning Scheme - No. L24
 Benalla City Planning Scheme - No. L23 Part 1
 Bendigo Planning Scheme - Amalgamation Amendment, Nos. L41, L44
 Berwick Planning Scheme - Nos. L61 Part 1, L63, L69
 Box Hill Planning Scheme - No. L15
 Bright Planning Scheme - No. L38
 Broadford Planning Scheme - No. L12 Part 1A
 Broadmeadows Planning Scheme - Nos. L56, L58
 Brunswick Planning Scheme - No. L10
 Bulla Planning Scheme - Nos. L70, L85, L90, L99, L100, L101
 Camberwell Planning Scheme - No. RL 156
 Castlemaine Planning Scheme - Nos. L8, L9, L11
 Caulfield Planning Scheme - Nos. L15, L31
 Charlton Planning Scheme - No. L3
 Chelsea Planning Scheme - No. L10
 Cobram Planning Scheme - No. L15
 Coburg Planning Scheme - No. L38
 Collingwood Planning Scheme - Nos. L18 Part 1, L19, L24, L27, L29
 Cranbourne Planning Scheme - Nos. L49 Part 1, L91, L102
 Croydon Planning Scheme - No. RL 156
 Dandenong Planning Scheme - Nos. L31, L32
 Deakin Planning Scheme - Nos. L23, L27, L29

Diamond Valley Planning Scheme - Nos. L54, L55
Doncaster and Templestowe Planning Scheme - Nos. L58 Part 3, L68, L69
Echuca Planning Scheme - Nos. L21, L27, L28
Eltham Planning Scheme - Nos. L36 Part 2, L41, L43, L44
Essendon Planning Scheme - Nos. L47, L48
Flinders Planning Scheme - No. L125
Footscray Planning Scheme - No. L37
Geelong Regional Planning Scheme - Nos. RL149, RL1 - SC
Greater Bendigo Planning Scheme - No. L10
Greater Geelong Planning Scheme - Nos. L12, L52, L76, R41, R51, R60, R61 Part 1,
R67, R68, R77, R79, R81, R88, RL42, RL78, RL89, RL1 - SC
Grenville Planning Scheme - No. L11 Part 1
Hampden Planning Scheme - No. L9
Hastings Planning Scheme - Nos. L71, L98
Hawthorn Planning Scheme - No. L26
Healesville Planning Scheme - Nos. L42, L44, L47
Heidelberg Planning Scheme - No. L65
Heywood Planning Scheme - No. L11
Horsham Planning Scheme - No. L49
Huntly Planning Scheme - No. L30
Karkaroc Planning Scheme - No. L2
Keilor Planning Scheme - Nos. L58, L65, L70, L72, L74, L77, L78, RL156
Kilmore Planning Scheme - No. L71
Knox Planning Scheme - Nos. L63, L65, L74
Kyabram Planning Scheme - No. L13
Lillydale Planning Scheme - Nos. L71, L107, L109, L122, L130, L135, L136, L138,
L139
Lowan Planning Scheme - No. L15
Maffra Nos. L25, L26
Maldon Planning Scheme - No. L7
Malvern Planning Scheme - Nos. L22, L28
Maryborough Planning Scheme - No. L21
Melbourne Planning Scheme - Nos. L107 Part 2, L147, L152, L154, L157, L159, L170
Melton Planning Scheme - Nos. L37, L42, L46
Metropolitan Region Planning Schemes - No. R121
Mildura (City) Planning Scheme - Nos. L43, L46
Mirboo Planning Scheme - No. L12
Moorabbin Planning Scheme - Nos. L37, L40, L42, L47
Mornington Planning Scheme - Nos. L49, L50
Morwell Planning Scheme - No. L45
Myrtleford Planning Scheme - Nos. L29, L30
Nathalia Shire Planning Scheme - No. L5
Northcote Planning Scheme - Nos. L29, L30, L31
Nunurkah Planning Scheme - No. L4
Nunawading Planning Scheme - Nos. L42, L60, L67, L74, L76
Oakleigh Planning Scheme - Nos. L30 Part 2, L32, L33, L36
Otway Planning Scheme - No. L24
Oxley Planning Scheme - Nos. L8, L10
Phillip Island Planning Scheme - Nos. L44, L45, L52 Part A
Port Fairy Planning Scheme - Nos. L8 Part 2, L11
Portland City Planning Scheme - No. L35
Port Melbourne Planning Scheme - Nos. L11, L18
Port of Melbourne Planning Scheme - No. L12

Prahran Planning Scheme - Nos. L24, L26, L33, L38, L41, L45, L49, L53
 Preston Planning Scheme - Nos. L45, L49, L52
 Queenscliffe Planning Scheme - Nos. L12, R8, R11
 Richmond Planning Scheme - Nos. L25, L29, L30
 Ringwood Planning Scheme - Nos. L23, L24, L31, L34
 Ripon Planning Scheme - No. L12
 Rochester Planning Scheme - No. L6
 Rodney Planning Scheme - Nos. L55, L67
 Romsey Planning Scheme - No. L35
 Sale Planning Scheme - Nos. L23, L25
 Seymour Planning Scheme - Nos. L31, L32
 Shepparton City Planning Scheme - Nos. L39, L45
 Shepparton Shire Planning Scheme - Nos. L57, L61, L66, L68
 Sherbrooke Planning Scheme - Nos. L61, L78, L79
 South Gippsland Planning Scheme - No. L29
 South Melbourne Planning Scheme - Nos. L69, L82, L84, L88
 Springvale Planning Scheme - Nos. L37, L65, L69, RL156
 Stawell (City) Planning Scheme - Nos. L25 Part 1 and Part 2
 Stawell (Shire) Planning Scheme - No. L17
 Strathfieldsaye Planning Scheme - Nos. L2A Part 1B, L15 Part 1, L17
 Sunshine Planning Scheme - Nos. L59, L70, RL156
 Surf Coast Planning Scheme - No. L26
 Swan Hill City Planning Scheme - No. L15
 Swan Hill Shire Planning Scheme - Nos. L10, L12, L13
 Tambo Planning Scheme - Nos. L60 Part 1, L61
 Traralgon (City) Planning Scheme - No. L50
 Traralgon (Shire) Planning Scheme - No. L47
 Tullaroop Planning Scheme - No. L7
 Tungamah Planning Scheme - No. L3
 Violet Town Planning Scheme - No. L5
 Wangaratta City Planning Scheme - No. L20
 Wangaratta Shire Planning Scheme - No. L15
 Waranga Planning Scheme - No. L11
 Warragul Planning Scheme - No. L28
 Warrnambool City Planning Scheme - Nos. L46, L57
 Waverley Planning Scheme - Nos. L27, L44, L45, L47
 Werribee Planning Scheme - Nos. L65, L72
 Whittlesea Planning Scheme - No. L88
 Williamstown Planning Scheme - Nos. L18, L28, L29
 Wimmera Planning Scheme - No. L15
 Winchelsea Planning Scheme - No. L2 - SC
 Wodonga Planning Scheme - Nos. L57, L66
 Wonthaggi Planning Scheme - Nos. L18, L19 Part 1, L21
 Yarrawonga Planning Scheme - Nos. L18, L23

Prevention of Cruelty to Animals Act 1986 - Code of Practice for the Public Display and Exhibition of Animals

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

Richmond College of TAFE - Report for the year 1993

Statutory Rules under the following Acts:

Administration and Probate Act 1958 - S.R. No. 97

Alpine Resorts Act 1983 - S.R. No. 109

Annual Reporting Act 1983 - S.R. No. 71, together with a copy of the following document as required by Section 32 of the Interpretation of Legislation Act 1984 to accompany the Statutory Rule:

Australian Accounting Standard:

AAS 4 - Depreciation of Non-Current Assets

Architects Act 1991 - S.R. No. 100

Bees Act 1971 - S.R. No. 78

Building Act 1993 - S.R. No. 81, together with copies of the following documents as required by Section 32 of the Interpretation of Legislation Act 1984 to accompany the Statutory Rule:

Australian Standards:

AS 1613 - 1974 - Colours for marking stress graded timber

AS 1720.1 - 1988 - SAA Timber Structures Code - Part 1: Design methods (as amended)

AS 1748/9 - 1978 - Mechanically stress-graded timber and Rules for mechanical stress grading of timber

AS 1926.1 - 1993 - Swimming Pool Safety - Part 1: Fencing for Swimming Pools

AS 2082 - 1979 - Visually stress-graded hardwood for structural purposes

AS 2601 - 1991 - The demolition of structures

AS 2858 - 1986 - Timber - Softwood - Visually stress-graded for structural purposes

Victorian Code for Residential Development - Subdivision and Single Dwellings, April 1992

Victorian Code for Residential Development - Multi Dwellings, November 1993

Building Code of Australia 1990 (as amended)

Business Franchise (Tobacco) Act 1974 - S.R. No. 104

Co-operative Housing Societies Act 1958 - S.R. No. 76

County Court Act 1958 - S.R. No. 75

Court Security Act 1980 - S.R. No. 112

Financial Institutions Duty Act 1982 - S.R. Nos. 99, 128

Financial Management Act 1994 - S.R. Nos. 67, 68, 69

Firearms Act 1958 - S.R. No. 120

Fisheries Act 1968 - S.R. No. 115

Food Act 1984 - S.R. No. 103

Gaming and Betting Act 1994 - S.R. Nos. 122, 123

Land Act 1958 - S.R. No. 101

Legal Profession Practice Act 1958 - S.R. No. 98

Magistrates' Court Act 1989 - S.R. No. 125

Marine Act 1988 - S.R. No. 111

Meat Industry Act 1993 - S.R. No. 84

Medical Practice Act 1994 - S.R. No. 116

Melbourne and Metropolitan Board of Works Act 1958 - S.R. Nos. 85, 86, 87

Mineral Resources Development Act 1990 - S.R. No. 105

Nurses Act 1993 - S.R. Nos. 117, 118, 119

Occupational Health and Safety Act 1985 - S.R. No. 108, together with copies of the following documents as required by Section 32 of the Interpretation of Legislation Act 1984 to accompany the Statutory Rule:

National Occupational Health and Safety Certification Standard for Users and Operators of Industrial Equipment

National Guidelines for Occupational Health and Safety Competency Standards for the Operation of Loadshifting Equipment and other types of Specified Equipment

Australian Miniature Boiler Safety Committee - Code Parts 1 and 2
AS 2593 - 1990 - Boilers - Unattended and limited attendance (as amended)

Parole Orders (Transfer) Act 1983 - S.R. No. 89
Pay-roll Tax Act 1971 - S.R. No. 82
Prisoners (Interstate Transfer) Act 1983 - S.R. No. 88
Racing Act 1958 - S.R. Nos. 72, 73, 74, 121
Road Safety Act 1986 - S.R. Nos. 110, 126, 127
Royal Botanic Gardens Act 1991 - S.R. No. 113
Stamps Act 1958 - S.R. No. 124
State Electricity Commission Act 1958 - S.R. No. 102
State Superannuation Act 1988 - S.R. No. 107
Stock Diseases Act 1968 - S.R. No. 79
Supreme Court Act 1986 - S.R. No. 97
Teaching Service Act 1981 - S.R. No. 114
Tertiary Education Act 1993 - S.R. No. 96
Transfer of Land Act 1958 - S.R. No. 65
Transport Accident Act 1986 - S.R. No. 83
Transport Act 1983 - S.R. Nos. 90, 91, 92,

S.R. No. 93, together with copies of the following documents as required by Section 32 of the Interpretation of Legislation Act 1984 to accompany the Statutory Rule:

Australian Design Rules:

15/01 - Demisting of Windscreen
18/02 - Instrumentation
42/02 - General safety requirements (as amended)
58/00 - Requirements for Omnibuses designed for Hire and Reward

S.R. No. 94, together with copies of the following documents as required by Section 32 of the Interpretation of Legislation Act 1984 to accompany the Statutory Rule:

Australian Design Rules:

18/02 - Instrumentation
42/02 - General safety requirements (as amended)
44/02 - Specific purpose vehicle requirements (as amended)

Valuation of Land Act 1960 - S.R. Nos. 77, 106

Water Act 1989 - S.R. No. 70, together with copies of the following documents as required by Section 32 of the Interpretation of Legislation Act 1984 to accompany the Statutory Rule:

Australian Standards:

AS 3500 - National Plumbing and Drainage Code -
Part 0 - 1990 - Glossary of terms
Part 1 - 1992 - Water supply
Part 2 - 1990 - Sanitary plumbing and sanitary drainage
Part 4 - 1990 - Hot water supply systems

AS 1056 - Storage water heaters -

Part 1 - 1991 - General requirements (as amended)
Part 2 - 1985 - Specific requirements for water heaters with single shells
Part 3 - 1991 - Specific requirements for water heaters with composite shells

- Part 4 - 1990 - Calculations of energy consumption
- AS 1074 - 1989 - Steel tubes and tubulars for ordinary service
- AS 1111 - 1980 - ISO metric hexagon commercial bolts and screws
- AS 1112 - 1980 - ISO metric hexagon nuts, including thin nuts, slotted nuts and castle nuts
- AS 1159 - 1988 - Polyethylene pipes for pressure applications
- AS 1167 - Welding and brazing - Filler metals
 - Part 1 - 1993 - Filler metal for brazing and braze welding
 - Part 2 - 1986 - Filler metal for welding
- AS 1170 - 1989 - SAA Loading Code -
 - Part 1 - Dead and live loads and load combinations (as amended)
 - Part 2 - Wind loads (as amended)
- AS 1172 - 1993 - Water closets of 6/3 L capacity -
 - Part 1 - Pans
 - Part 2 - Cisterns
- AS 1210 - 1989 - SAA Unfired Pressure Vessels Code (as amended)
- AS 1218 - 1990 - Flushing cisterns
- AS 1229 - 1991 - Laundry troughs
- AS 1252 - 1983 - High-strength steel bolts with associated nuts and washers for structural engineering
- AS 1260 - 1984 - Unplasticized PVC (UPVC) pipes and fittings for sewerage applications (as amended) - Part 1 - Pipes; Part 2 - Moulded Fittings; Part 3 - Fabricated Fittings; Part 4 - Rubber Ring Joints
- AS 1275 - 1985 - Metric screw threads for fasteners (as amended)
- AS 1302 - 1991 - Steel reinforcing bars for concrete (as amended)
- AS 1304 - 1991 - Welded wire reinforcing fabric for concrete
- AS 1319 - 1983 - Safety signs for the occupational environment (as amended)
- AS 1321.10 - 1980 - Part 10 - Methods for the sampling and testing of adhesives - Determination of non-volatile matter (solids content) of adhesives
- AS 1345 - 1982 - Identification of the contents of piping, conduits and ducts (as amended)
- AS 1357 - 1992 - Water supply - Valves for use with unvented water heaters -
 - Part 1 - Protection valves
 - Part 2 - Control valves
- AS 1361 - 1973 - Automatic electric heat exchange water heaters (metric units) (as amended)
- AS 1371 - 1973 - Toilet seats of moulded plastics (metric units)
- AS 1379 - 1991 - The specification and manufacture of concrete
- AS 1397 - 1993 - Steel sheet and strip - Hot-dipped zinc-coated or aluminium/zinc-coated
- AS 1415 - 1984 - Unplasticized PVC (UPVC) pipes and fittings for soil, waste and vent (SWV) applications (as amended) - Part 1 - Pipes; Part 2 - Moulded Fittings; Part 3 - Fabricated Fittings; Part 4 - Rubber Ring Expansion Joints
- AS 1428 - Design for access and mobility -
 - Part 1 - 1993 - General requirements for access - Buildings (as amended) together with transparent overlays
 - Part 2 - 1992 - Enhanced and additional requirements - Buildings and facilities
 - Part 3 - 1992 - Requirements for children and adolescents with physical disabilities
 - Part 4 - 1992 - Tactile ground surface indicators for the orientation of people with vision impairment
- AS 1432 - 1990 - Copper tubes for plumbing, gasfitting and drainage applications

- AS 1446 - 1981 - Carbon steels and carbon-manganese steels - Hot-rolled slab, plate and strip based on chemical composition
- AS 1449 - 1980 - Wrought alloy steels - Stainless and heat-resisting steel plate, sheet and strip
- AS 1460 - 1989 - Fittings for use with polyethylene pipes -
 Part 1 - Mechanical jointing fittings
 Part 2 - Electrofusion fittings
- AS 1477 - Unplasticized PVC (UPVC) pipes and fittings for pressure applications -
 Part 1 - 1988 - Pipes (as amended)
 Part 2 - 1990 - Moulded fittings
 Part 4 - 1988 - Post-formed bends
 Part 6 - 1989 - Rubber ring joints
- AS 1478 - 1992 - Chemical admixtures for concrete
- AS 1546 - 1990 - Small septic tanks
- AS 1566 - 1985 - Copper and copper alloys - Rolled flat products
- AS 1589 - 1987 - Copper and copper alloy waste fittings
- AS 1604 - 1980 - Preservative treatment for sawn timber, veneer and plywood.
- AS 1628 - 1977 - Copper alloy gate valves and non-return valves for use in water supply and hot water services (as amended)
- AS 1631 - 1974 - Cast iron non-pressure pipes and pipe fittings (metric units)
- AS 1646 - 1992 - Elastomeric seals for waterworks purposes (as amended)
- AS 1650 - 1989 - Hot-dipped galvanized coatings on ferrous articles
- AS 1657 - 1992 - Fixed platforms, walkways, stairways and ladders - Design, construction and installation
- AS 1684 - 1992 - National Timber Framing Code (as amended)
- AS 1690 - 1975 - SAA Domestic oil-fired appliances safe design code (metric units)
- AS 1691 - 1985 - Domestic Oil-fired Appliances - Installation (as amended)
- AS 1718 - 1992 - Water supply - Copper alloy screw-down pattern taps - Specified by dimensions
- AS 1722.1 - 1975 - Pipe threads of Whitworth form - Part 1 - Sealing pipe threads (metric units)
- AS 1724 - 1975 - Cast Grey iron pressure pipes and fittings with bolted gland joints (metric units)
- AS 1724.2 - 1983 - Grey iron pressure pipes and fittings with bolted gland joints
 Part 2 - Soft metric series for maintenance purposes
- AS 1726 - 1993 - Geotechnical site investigations
- AS 1730 - 1989 - Washbasins
- AS 1734 - 1986 - Aluminium and aluminium alloys - Flat sheet, coiled sheet and plate
- AS 1741 - 1991 - Vitrified clay pipes and fittings with flexible joints - Sewer quality
- AS 1756 - 1989 - Household sinks
- AS 1769 - 1975 - Welded stainless steel tubes for plumbing applications (metric units)
- AS 1804 - 1976 - Soft lead sheet and strip
- AS 1830 - 1986 - Iron castings - Grey cast iron
- AS 1834 - Material for soldering -
 Part 1 - 1991 - Solder alloys
 Part 2 - 1986 - Flux-cored solders
- AS 1910 - 1976 - Copper alloy float control valves for use in water supply and hot water services (as amended)
- AS 1976 - 1992 - Vitreous china used in sanitary appliances
- AS 2023 - 1989 - Baths for ablutionary purposes (as amended)

- AS 2032 - 1977 - Code of practice for installation of UPVC pipe systems (as amended)
- AS 2033 - 1980 - Installation of polyethylene pipe systems
- AS 2118 - 1982 - SAA Code for Automatic Fire Sprinkler Systems (as amended)
- AS 2123 - 1978 - Slow delivery type automatic electric storage water heaters for dairies
- AS 2129 - 1982 - Flanges for pipes, valves and fittings (as amended)
- AS 2280 - 1991 - Ductile iron pressure pipes and fittings
- AS 2345 - 1992 - Dezincification resistance of copper alloys
- AS 2396 - 1980 - Performance of household food waste disposal units
- AS 2419 - 1991 - Fire hydrant installations -
 - Part 1 - System design, installation and commissioning
 - Part 2 - Fire hydrant valves
- AS 2441 - 1988 - Installation of fire hose reels
- AS 2492 - 1981 - Crosslinked polyethylene (XLPE) pipe for hot and cold water applications (as amended)
- AS 2537 - 1982 - Mechanical jointing fittings for use with crosslinked polyethylene (XLPE) pipes for hot and cold water applications
- AS 2544 - 1982 - Grey iron pressure pipes and fittings
- AS 2566 - 1982 - Plastics pipelaying design
- AS 2634 - 1983 - Chemical plant equipment made from glass-fibre reinforced plastics (GRP) based on thermosetting resins
- AS 2638 - 1991 - Sluice valves for waterworks purposes (as amended)
- AS 2642 - Polybutylene pipe systems -
 - Part 1 - 1989 - Polybutylene (PB) pipe extrusion compounds
 - Part 2 - 1989 - Polybutylene (PB) pipe for hot and cold water applications
 - Part 3 - 1983 - Mechanical jointing fittings for use with polybutylene (PB) pipes for hot and cold water applications
- AS 2712 - 1993 - Solar water heaters - Design and construction.
- AS 2758.1 - 1985 - Aggregates and rock for engineering purposes - Part 1 - Concrete aggregates
- AS 2813 - 1985 - Solar water heaters - Method of test for thermal performance - Simulator method
- AS 2837 - 1986 - Wrought alloy steels - Stainless steel bars and semi-finished products
- AS 2845 - Water supply - Mechanical backflow prevention devices -
 - Part 1 - 1991 - Materials, design and performance requirements
 - Part 3 - 1993 - Field testing and maintenance
- AS 2878 - 1986 - Timber - Classification into strength groups
- AS 2887 - 1993 - Plastic waste fittings
- AS 2888.1 - 1993 - Methods of testing plastics waste fittings - Method 1 - Method of determining the suitability of connection threads of BSP form
- AS 2888.6 - 1986 - Method 6 - Method for load testing of plastics waste outlets.
- AS 2941 - 1987 - Fixed fire protection installation - Pumpset systems (as amended)
- AS 2950 - 1988 - Propylene copolymer pressure pipe
- AS 2977 - Unplasticized PVC (UPVC) pipe for pressure applications - Compatible with cast iron pipe outside diameters -
 - Part 1 - 1988 - Pipes
 - Part 2 - 1988 - Post-formed bends
 - Part 3 - 1989 - Rubber ring joints
- AS 2984 - 1987 - Solar water heaters - Method of test for thermal performance - Outdoor test method

- AS 3142 - 1986 - Approval and test specification - Electric water heaters (as amended)
- AS 3498 (Int) - 1993 - Authorization requirements for plumbing products - Water heaters (all types)
- AS 3499 - 1992 - Authorization requirements for plumbing products - Flexible tubes
- AS 3517 - 1987 - Capillary fittings of copper and copper alloy for non-pressure sanitary plumbing applications
- AS 3518 - 1988 - Acrylonitrile butadiene styrene (ABS) pipes and fittings for pressure applications -
Part 1 - Pipes
Part 2 - Solvent cement fittings
- AS 3558.5 - 1989 - Methods of testing plastics and composite materials sanitary plumbing fixtures - Method 5 - Determination of degradation by ultraviolet light
- AS 3565 - 1988 - Meters for cold potable water
- AS 3571 - 1989 - Glass filament reinforced thermosetting plastics (GRP) pipes - Polyester based - Water supply, sewerage and drainage applications
- AS 3578 - 1993 - Cast iron non-return valves for general purposes
- AS 3579 - 1993 - Cast iron wedge gate valves for general purposes
- AS 3588 - 1989 - Shower bases and shower modules
- AS 3600 - 1988 - Concrete structures (as amended)
- AS 3666 - 1989 - Air-handling and water systems of buildings - Microbial control
- AS 3672 - 1989 - Wrought steel threaded pipe fittings
- AS 3673 - 1989 - Malleable cast iron threaded pipe fittings
- AS 3688 - 1990 - Water supply - Copper and copper alloy compression and capillary fittings and threaded end connectors
- AS 3707 - 1989 - Method for testing pressure cycling resistance of pipes and fittings (as amended)
- AS 3718 - 1992 - Water supply - Metal-bodied taps - Specified by performance
- AS 3735 - 1991 - Concrete structures for retaining liquids
- AS 3795 - 1990 - Copper alloy tubes for plumbing and drainage applications
- AS 3855 (Int) - 1992 - Suitability of plumbing products for contact with potable water
- AS 3861 - 1991 - Spa baths
- AS 3879 (Int) - 1991 - Solvent cements and priming fluids for use with unplasticized PVC (UPVC) pipes and fittings
- AS 3952 - 1991 - Water supply - DN 80 spring hydrant valve for general purposes (as amended)
- AS 3972 - 1991 - Portland and blended cements
- AS 3982 - 1991 - Urinals (as amended)
- AS 4020 (Int) - 1992 - Products for use in contact with water intended for human consumption with regard to their effect on the quality of water (as amended)
- AS 4023 - 1992 - Non-vitreous china used in sanitary appliances
- AS 4032 - 1992 - Thermostatic mixing valves - Materials, design and performance requirements (as amended)
- AS 4087 - 1993 - Metallic flanges for waterworks purposes (as amended)
- AS CA56 - 1968 - Code of recommended practice for the construction of vitrified clay pipelines (up to and including 12 inch diameter with flexible or rigid joint systems)
- SAA MP52 - 1993 - Manual of authorization procedures for plumbing and drainage products

British Standards:

- BS 1564 - 1975 - Specification for pressed steel sectional rectangular tanks (as amended)
- BS 2598 - 1980 - Glass plant, pipeline and fittings - Part 4 - Specification for glass plant components
- BS 4994 - 1987 - Specification for design and construction of vessels and tanks in reinforced plastics
- BS 5412 and BS 5413 - 1976 - Specification for the performance of draw-off taps with metal bodies for water services and specification for the performance of draw-off taps with plastic bodies for water services -
Part 4 - Mechanical and endurance characteristics (as amended)
Part 5 - Physio-chemical characteristics: materials, coatings (as amended)
- BS 5422 - 1990 - Method for specifying thermal insulating materials on pipes, ductwork and equipment (in the temperature range -40°C to +700°C)
- The Australian Gas Association -
AG 102 - 1989 - Approval requirements for gas water heaters
- American National Standards Institute and the American Water Works Association-
ANSI/AWWA - C651 - 92 - Standard for disinfecting water mains
ANSI/AWWA - C652 - 92 - Disinfection of water-storage facilities
- National Health and Medical Research Council and the Australian Water Resources Council - Guidelines for drinking water quality in Australia, 1987

Weights and Measures Act 1958 - S.R. No. 95

Zoological Parks and Gardens Act 1967 - S.R. No. 80

Sunraysia College of TAFE - Report for the year 1993

Tobacco Leaf Marketing Board - Report for the year ended 31 March 1994

Transport Act 1983 - Order in Council of 26 July 1994 amending Schedule 8 to the Act in relation to Deregulation of Road Transport of Bulk Briquettes and Bulk Cement

Victoria Law Foundation - Report for the year ended 30 September 1993.

11 PRIVILEGE BILL - ASSOCIATIONS INCORPORATION (AMENDMENT) BILL -
Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to make minor amendments to the 'Associations Incorporation Act 1981'*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

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

Mr President and Honourable Members of the Legislative Council:

Mr Speaker and Members of the Legislative Assembly:

I have called you together today as my Government is within a month of the midpoint of this term of Parliament. The opening of the Second Session of the Fifty-Second Parliament therefore provides a means to reflect and review the progress achieved in what has been the most extensive reform program undertaken by any Australian government in the post-War era.

We are to use this historic opportunity to pause and set anew the direction for Victoria in the remainder of the current Parliament.

Importantly, the objectives set out before us all as Victorians are not confined to this coming two-year period, but fit within a longer term framework running beyond the turn of the century. This therefore is not a political agenda, but a meticulously crafted plan for Victoria's future welfare, for the welfare of all Victorians.

The fundamental premise on which my Government's agenda continues to be motivated is the integral link between financial, economic and social outcomes: none of these three can be satisfied in isolation.

From October 1992, the Government acted with speed and precision to take advantage of a window of opportunity to correct Victoria's desperate problems as well as to forge lasting change and benefit for all Victorians. The reforms have moulded a generational change in that Victorians are now working to longer timeframes, and this goes to the heart of the Government's economic management.

It is being done in order to build a competitive business sector, a secure employment market and effective, quality services in the central areas of education, health, community services, services to women and young people, public transport and law and order.

When I last spoke to the Parliament, I emphasised that all sectors of the community had accepted the Government's challenge to join in a partnership to rebuild the State. The Government recognises and applauds the whole community for taking its role as an active partner in this historic cultural change for Victoria.

Victorians have shouldered the responsibility for energising the economy and underpinning opportunity for coming generations. They have continued to make it clear they want a commonsense, efficient and decisive government. Victorians support reforms which deliver sound financial management and better services in education, health and community services.

Substantial progress has been made in restoring the State's economy and lifting its outlook. Victoria has led Australia in employment growth this year and the steadily increasing participation rate signals growing confidence in the job market. Victoria's exports have been growing at double the national average. And in the third key criteria of investment, Victoria is far outstripping the national average for new capital investment in the private sector.

We can point to significant improvements in financial management, in the structure of the budget process, early forward planning and in outcomes. The Government continues to work towards its objective to bring the budget into sustainable surplus and once that has been achieved, the \$100 State deficit levy will be removed.

Victoria will continue to improve its standing in the major financial markets. The credit agencies have already lifted Victoria's rating. Through responsible financial management, the Government will continue to lay the groundwork for further credit ratings upgrades, with the objective of a return to a Triple-A rating.

My Government remains committed to securing the best opportunities for our children and grandchildren. Such a sense of security derives not just from economic growth and financial probity. It derives also from confidence in Victorian institutions, in our health care system, in education, in our personal safety, from the preservation of a clean, natural environment, and in the integrity of our public servants and elected representatives.

As the Government continues to drive home its reforms, the emphasis, as always, will be to ensure families have accessibility to affordable services, the driving goals of which are efficiency, responsiveness to need, and high quality.

Policy initiatives for service delivery will be particularly sensitive to the needs of women in the care of their families, and in this regard special attention will be paid to cost containment for services to families and in the charges levied on households.

The Government has been meticulous in redirecting education to meet the standards and course requirements that families expect as their children prepare for life in the workforce and as responsible citizens. The changes in education are providing our children the knowledge base and skills to help them grasp the newly emerging opportunities of the technological revolution that will be the hallmark of the 21st century.

Technology is being employed increasingly in our schools to enhance the learning experience. Satellite television has just begun broadcasting programs to schools across the State and the Government is establishing science and technology centres to enable more intensive study in this field.

Victoria has also set the lead for Australia in health care reform. The State has made enormous progress in developing a high quality health service that is responsive to patient demand and cost-effective. The casemix system operating in Victoria has now been introduced in South Australia and exported to Hong Kong in modified form. The Commonwealth is also considering adopting it as the national standard.

Similarly, priority will be given to support and security for the elderly, the needy and homeless youth, as well as to the question of personal safety in the home and on our streets. Victoria has earned a reputation as the safest State in Australia and the Government is committed to improving on our record to date, particularly with regard to safety for women and children.

To this end, the Premier has personally taken charge of the taxi reform program which will lift the profile and service quality of the State's taxi industry and ensure increased safety for passengers and taxi drivers.

These are the essential human elements of a vibrant society that require a prospering economy to underpin them. The Government's reform objectives, therefore, are critical to provide the care our society needs.

While much has been achieved in turning Victoria around, it is important to sound a note of caution and to emphasise the imperative of continuing discipline. There is no room for complacency this early in such an enormous task of recovery. The national economic recovery remains fragile and uneven. We cannot afford to repeat the past mistake of relying on cyclical upswings to avoid our responsibility to implement reform.

My Government has tried to be an honest government - to discuss with Victorians the problems we face and their expectations as to how those problems would be addressed. The Government will continue its practice of communicating directly with Victorians to provide them with a full account of its stewardship, and will soon be sending all households a midterm report.

The rule that has been steadfastly followed is based on the need to provide decisive, good government for all Victorians.

The Government has not been content to let others carry the responsibility for thinking through our problems and their solutions. This will continue to be an active and vigorous Government with ideas, energy and still a fresh enthusiasm for reform.

My Government has devoted considerable effort to securing improved fiscal relations with the Federal Government and better program delivery by seeking an overall

improvement in our financial relations and a clear definition of the roles and responsibilities of the three tiers of government.

In areas such as health and housing and the Federal Government's public support for our electricity industry reforms, there have been positive signs. Regrettably, in other areas the Commonwealth has shown a preparedness to override the States and Territories regardless of what might be in the best interests of all Australians.

In Victoria, we are working therefore to develop and implement proposals which by the time we reach the year 2001 will see an effective sharing of power and resources. To this end, Victoria has been instrumental in the establishment of a national leadership group through which the States and Territories are co-ordinating their approach to national issues and playing a much stronger role in defining the agenda and course of the Council of Australian Governments.

In particular, my Government believes the nature of the Australian Federation must change significantly up to the centenary of Federation to provide a greater sense of national cohesiveness and direction, a better living standard and level of services for all Australians. To achieve maximum benefit from the type of reforms initiated in Victoria, complementary action will be required nationally.

Continuing public sector reform has been a key element underpinning the Government's progress over the past two years and has been accompanied by a wide ranging and detailed analysis of the core responsibilities of government. The Government and its departments now operate on a corporate structure with a firm focus on outcomes.

The Government's initial step in the reform of the public sector was to reduce the number of departments from 22 to 13. It is now completing arrangements for a further reduction to 12 departments through a merger of Treasury and the Department of Finance.

Through the Management Improvement Initiative, the Government is addressing impediments in the public sector which have slowed or blocked innovation and efficient practice for generations. Progress in public sector reform is most apparent to the community in the implementation of new modes of service delivery, but its most significant outcome is that the Government itself is now part of the competitive equation.

The Government has also provided the framework for the investigation of new models for service delivery, including contracting out, corporatisation and privatisation. An accelerated corporatisation, privatisation and contracting out program will be one of the features of the second half of the first term and there will be a concerted effort to encourage private sector investment in major infrastructure projects.

By the end of January, the Government will receive submissions from the two shortlisted private consortiums for two major road projects, the Southern and Western bypasses, and determine a timetable for construction of the road links and for the Domain Tunnel.

These decisions will mark the fulfilment of a long held Melbourne dream and are part of a broader program to consolidate Melbourne's position as Australia's transport centre and to use infrastructure development to facilitate expansion in the transport sector and broader economic growth.

Local Government reform is integral to the Government's framework for revitalising the State economy and in the delivery of services to Victorians. My Government is well advanced with the most far reaching restructure of our Local Government system in more than a century and by the end of next year the State will have less than 100

councils delivering better, cheaper services to their residents. These larger councils will also have the capacity to act as strong forces for regional development.

The Government's highly successful industry policy will be subject to some redefinition in the coming year with special emphasis on its primary role to attract high quality investors in key industry sectors and to provide further assistance for exporters.

Victoria's WorkCover scheme has been one of the shining lights of the Government's reforms. Its remaining \$200 million liability is expected to be eliminated by the end of the current financial year and the 0.25% surcharge on premiums will then be removed.

The Government's broad industry strategy, along with the specific regional development program and the Food Victoria strategy, are playing a significant role in encouraging new business investment in country Victoria, giving new direction to our traditional farming industries and impetus for the rapidly expanding food processing sector.

Agricultural programs are to be redirected and receive a substantial injection of new funds in tomorrow's Budget. A sum of \$18.3 million recurrent expenditure will be allocated over the next three years to provide for more effective delivery of programs to boost farm productivity, accelerate Victoria's fresh food export program and give extra impetus to the development of food processing as one of our major industries of the future. There will also be an additional \$4 million in capital investment for agriculture.

Revenue from Victoria's gaming industry is being devoted to major projects of lasting value to the Victorian community - the Agenda 21 program - so they can be undertaken without adding a dollar to State debt. The banner of Agenda 21 will fly over Melbourne's new exhibition centre, world class casino, stage one refurbishment of the State Library and the refurbished Regent Theatre, which are all scheduled for completion in the next two years.

In the next two years, there will also be significantly increased funding for Agenda 21 projects in regional Victoria.

The Gas and Fuel Corporation towers on Flinders Street will come down in 1996, signalling also the start of work on the Federation Square project.

The Government's quest for new major events will bring two outstanding drawcards to Melbourne in 1995-96 - the Australian premiere of the musical *Sunset Boulevard* and the running of the first Melbourne Formula One Grand Prix.

Collectively, these measures have brought new heart and vitality to Victoria.

In the coming years, Victoria's role as an international centre for the arts will be given much greater emphasis through a strategy to develop further our arts infrastructure and foster the enormous depth of talent that exists in our arts community.

Parliament, as the supreme law giving body of the State, is requested to grant the essential passage of the legislation put before it to maintain the march of progress towards sustainable economic growth and a secure future for all Victorians.

It is with deep regret I advise that since the Parliament was last opened, five former members have died: the Honourable Allen Robert Bateman, MLA for Essendon; the Honourable Sir Murray Victor Porter, MLA for Sandringham, who served variously as Minister for Forests, Local Government and Public Works, and for periods as Assistant Chief Secretary and Assistant Attorney General; the Honourable Sir George Oswald Reid, MLA for Box Hill, who held the positions of Assistant Chief Secretary and Attorney General, Minister of Labour and Industry and Electrical Undertakings,

Fuel and Power and Immigration; the Honourable Joseph Henry Smith, MLA for Goulburn, who served as Minister for Lands, Soldier Settlement and Conservation; the Honourable Ivan Archie Swinburne, MLC for North Eastern, who served as Minister for Housing and Materials; and the Honourable John Malcolm Walton, MLC for Melbourne, who died in recent days.

I charge Government Ministers and Members of both Houses to continue providing good government, good parliament in Victoria's interests.

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

6 September 1994

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

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

Your Excellency:

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

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

Ordered - That the debate be adjourned until tomorrow.

- 14 **TEMPORARY CHAIRMEN OF COMMITTEES** - The following Warrant, nominating the Temporary Chairmen of Committees, was laid upon the Table by Mr Speaker.

VICTORIA

Legislative Assembly

Pursuant to the provisions of Standing Order No. 12 of the Legislative Assembly, I do hereby nominate Kenneth Alastair Coghill, Robert Fitzgerald Cooper, David James Cunningham, Kenneth Stephen Jasper, Noel John Maughan, David John Perrin, John Ingles Richardson Ernest Ross Smith, Gerard Vaughan, George Graeme Wiedeman to act as Temporary Chairmen of Committees whenever requested so to do by the Chairman of Committees.

Given under my hand this sixth day of September, One Thousand Nine Hundred and Ninety-Four.

JOHN E. DELZOPPO
Speaker

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

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

- 1 Unless otherwise ordered, the House shall meet on Tuesday, Wednesday and Thursday, Mr Speaker to take the Chair at 2.00 p.m. on Tuesday and 10.00 a.m. on Wednesday and Thursday.
- 2 (1) During the present Session, Government Business shall take precedence of all other business (including motions pursuant to Standing Order No. 26 which is hereby to the necessary extent suspended, but not including a motion of Want of Confidence in the Government) each Tuesday, Thursday and Friday and at 2.00 p.m. each Wednesday.
(2) On Wednesdays, other than appointed Wednesdays pursuant to Sessional Order No. 4, business shall be called on in the following order:
 1. General Business - Notices of Motion
 2. General Business - Orders of the Day
 3. Oral Questions (*At 2.00 p.m.*)
 4. Government Business - Notices of Motion
 5. Government Business - Orders of the Day.
- 3 Notwithstanding Sessional Order No. 2 -
 - (1) So much of Standing Order No. 124 as allows Members to ask oral questions without notice at the time of giving notices of motion be suspended and that Members ask oral questions without notice at 2.00 p.m. each sitting day (other than on a Tuesday where a motion expressing sorrow at the death of a Member or any other person may take precedence): Provided that these Sessional Orders shall not permit more than one question time each sitting day.
 - (2) At 2.00 p.m. on each sitting day (other than a Tuesday) Mr Speaker shall interrupt the business before the House, or if the House be in Committee, the Chairman shall report progress and Mr Speaker shall then interrupt such business: Provided that in the event that a Division is in progress at 2.00 p.m. such Division shall be completed and the result announced and if such Division be upon a closure motion any question required to be brought to conclusion as a result of such Division shall be so brought to conclusion.
 - (3) Any business under discussion and not disposed of at 2.00 p.m. shall be resumed immediately at the conclusion of the asking of oral questions and any Member speaking at the time of interruption may, upon the resumption of debate thereon, continue such speech.
- 4 (1) Standing Order No. 59 be suspended and, notwithstanding Sessional Order No. 2, the first Order of the Day on Wednesdays appointed by resolution of the House shall be the question "That grievances be noted", to which question any Member may speak for not more than fifteen minutes and the whole discussion on this question shall end at 2.00 p.m..
(2) On those appointed Wednesdays, business shall be called on in the following order:
 1. Grievances
 2. Oral Questions (*At 2.00 p.m.*)
 3. Government Business
 4. General Business

-
- 5 Notwithstanding the right of a Minister to move a motion for the adjournment of the House pursuant to Standing Order No. 25 -
- (1) At 10.00 p.m. on each sitting day Mr Speaker shall interrupt the business before the House, or if the House be in Committee, the Chairman shall report progress and Mr Speaker shall then interrupt such business: Provided that in the event that a Division is in progress at 10.00 p.m. such Division shall be completed and the result announced and if such Division be upon a closure motion any question required to be brought to conclusion as a result of such Division shall be so brought to conclusion.
 - (2) Upon such interruption of business -
 - (a) Before a motion for the adjournment is proposed by Mr Speaker, a Minister may move that the sitting be continued; which motion shall be put forthwith without amendment or debate and if such motion is agreed to, the House or Committee shall resume the proceedings at the point at which they had been interrupted; or
 - (b) If a Minister does not so move, Mr Speaker shall forthwith propose the question "That the House do now adjourn" which question shall be open to debate in accordance with the rules and practices of the House and paragraph (4); at the conclusion of the debate, Mr Speaker notwithstanding the provisions of Standing Order No. 24 shall adjourn the House without putting any question until the time of the next meeting.
 - (3) Any business under discussion and not disposed of at the time of the adjournment shall be set down on the Notice Paper for the next sitting and any Member speaking at the time of interruption may, upon the resumption of debate thereon, continue such speech.
 - (4) On the motion "That the House do now adjourn" the time available for the raising of matters on the motion be thirty minutes and the time limit per member be three minutes.
- 6
- (1) Standing Orders shall be suspended to allow for the programming of Government Business and the following procedures.
 - (2) Before the House meets for business in any week, the Leader of the House and the Deputy Leader of the Opposition (or their nominees) may meet as a Government Business Programming Committee with a view to reaching agreement on the manner in which the House is to deal with Government Business of the week.
 - (3) On the first day of the sitting week the Leader of the House or his nominee before the calling on of Government Business may move without leave a motion setting a date and time by which consideration of specified Bills or items of business have to be completed in that sitting week. Debate thereon shall not exceed thirty minutes and, in speaking thereon no Member shall exceed five minutes.
 - (4) At a change of business, following a special meeting of the Government Business Programming Committee convened in accordance with the aims of sub-paragraph (2), and without leave, the Leader of the House or his nominee may move a motion to amend the resolution under sub-paragraph (3). Debate thereon shall not exceed thirty minutes and, in speaking thereon no Member shall exceed five minutes. Any change to the programme cannot come into operation until one hour after the motion is agreed to.
 - (5) Amendments to be proposed in Committee of the Whole to a specified Bill may be circulated in the House during the debate on the question "That this Bill be now read a second time" after an announcement and request of a Minister or a Member (without leave but not when another Member is speaking) foreshadowing such amendments:

Provided that these amendments are circulated two hours before the expiration of the completion time set under sub-paragraph (3). Such announcement and request shall not be debated.

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

- (iv) in the case of a remaining item of business other than a Bill, put a combined question (if required) which brings to a conclusion the proceedings.
- (9) Standing and/or Sessional Orders relating to closure of debate or guillotine shall not apply to any proceedings in respect of a specified Bill or item of business
- (*Mr Gude*) - put, after debate, and agreed to.

17 TELEVISIONING AND BROADCASTING OF PROCEEDINGS - Motion made, by leave, and question -

1 That this House authorises -

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

2 That the following conditions apply and any breach of these conditions may result in the immediate suspension of privileges by the Speaker:

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

(j) Points of order or remarks withdrawn are not to be rebroadcast.

(k) Media personnel are required to obey any instruction given by the Speaker or the Speaker's delegates

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

- 18 **OPERATION OF ACTS - PROCLAMATIONS** - Motion made, by leave, and question - That this House authorizes and requires the Clerk to lay on the Table copies of Proclamations of His Excellency the Governor in Council fixing dates for the coming into operation of Acts, as published in the *Government Gazette* from time to time (*Mr Gude*) - put and agreed to.
- 19 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 20 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 11.59 p.m., adjourned until tomorrow.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 3 - Wednesday, 7 September 1994

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Playhouse - Ballarat** - Seeking that the House takes all necessary steps to continue its commitment to Playhouse in Ballarat to ensure the viability of Early Intervention Programmes for families of children with long term disabilities in the Central Highlands region, bearing 2,399 signatures (*by Mr Traynor*)
- Valdora Minerals Mining Company** - Seeking that the Minister for Energy and Minerals takes steps to ensure the cessation of mining operations by the Valdora Minerals Mining Company due to the detrimental and dangerous effects to a residential area, bearing 99 signatures (*by Mr Traynor*)
- Slav-Macedonian Prefix** - Seeking that the prefix Slav-Macedonian be deleted from all Government publications and statements and that the Government restores the name Macedonian, bearing 19 signatures (*by Mrs Elliott*).
- Severally ordered to lie on the Table.
- 3 **PAPERS** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
- Land Conservation Council - Final Recommendations for the Melbourne Area District 2 Review, July 1994.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 6 September 1994:

- Accident Compensation (Amendment) Act 1994 - Sections 3, 4, 5(3), (4) and (6)(a), 10, 11, 12, 14, 21, 22, 23, 24, 25, 28, 31, 32(2), 33(2) and (3), 38(1) (b), (d) and (e), and (3) (a), (d) and (f), 44, 46, 47, 54(1) and (2), 55, 56, 59, 66, 68, 69, 70, 71, 72, 73, 74, 75, 79, 80, 83, 84, 85, 86, 87, 88, 90(3) and (4), 92(1), (4) and (5), 94, 95, 96, 97, 100, 101, 102, 103, 104, 105, 108, 109, 110, 111, 112, 113, 114(2), 115, 116, 117, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128 and 129 on 15 June 1994. Sections 5(2), (5), (6)(b), (8) and (9), 6, 7, 8, 9(c), (d) and (e), 20, 26, 27, 29, 37, 38(1) (a) and (c), (2), (3)(b), (c) and (e), and (4), 39, 40, 41(3) and (5), 43, 45, 50, 51, 53, 54(3), 58, 62(10), 63, 78, 81, 82, 91, 93, 98, 99, 114(1) and 118 on 1 July 1994 (*Gazette No. S37, 24 June 1994*)
- Agricultural Acts (Further Amendment) Act 1987 - Section 40 on 1 September 1994 (*Gazette No. G35, 1 September 1994*)
- Building Act 1993 - Remainder of Act (other than sections 24(3), 57(1) (b), 136 and 176(1) (a) (iv) to (vii) and (d)) on 1 July 1994 (*Gazette No. S42, 1 July 1994*)
- Casino Control (Miscellaneous Amendments) Act 1994 - Remaining provisions (except for sections 17, 18, 19 and 20) on 2 June 1994 (*Gazette No. G22, 2 June 1994*). Remaining provisions on 17 June 1994 (*Gazette No. G24, 16 June 1994*)
- Drugs, Poisons and Controlled Substances (Amendment) Act 1994 - Sections 8, 11 and 18 on 10 September 1994. Remaining provisions of Part 3 on 11 September 1994 (*Gazette No. G33, 18 August 1994*)
- Electricity Industry (Amendment) Act 1994 - Sections 4(2), 14(1), 21(1), 21(3), 22, 24, 26(1) (other than paragraphs (a) and (b)), (26(2), 26(3), 27, 28(1)) (other than paragraphs (b), (c), (d), (e), (f), (g), (k), (n), (o), (p), (s), (t), (v), (w) and (x)), and 29, (other than paragraphs (a), (b) and (h)) on 21 June 1994 (*Gazette No. S39, 29 June 1994*). Section 12 on 3 October 1994 (*Gazette No. S57, 23 August 1994*)
- Environment Protection (General Amendment) Act 1994 - Remaining provisions that have not already come into operation (except sections 9 and 10) on 6 June 1994 (*Gazette No. G22, 2 June 1994*)
- Financial Institutions (Victoria) (Amendment) Act 1994 - Whole Act (except sections 1 and 2) on 5 July 1994 (*Gazette No. S44, 5 July 1994*)
- Financial Management (Consequential Amendments) Act 1994 - Section 3 and Schedule 1 with the exception of item 60 on 1 July 1994 (*Gazette No. G27, 7 July 1994*). Section 4 and Schedule 2 on 1 January 1995 (*Gazette No. G30, 28 July 1994*)
- Fire Authorities Act 1989 - Section 17(b) on 1 September 1994 (*Gazette No. S58, 30 August 1994*)
- Fire Authorities (Contributions) Act 1989 - Section 7(a) on 1 September 1994 (*Gazette No. S58, 30 August 1994*)
- Gaming and Betting Act 1994 - Section 62 on 7 June 1994 (*Gazette No. G23, 9 June 1994*). Section 191 and Division 2 of Part 18 on 1 July 1994 (*Gazette No. G25, 23 June 1994*)
- Health and Community Services (General Amendment) Act 1993 - Sections 33, 34, 36, 38, 50, 56 and 60 on 21 August 1994. Remaining provisions of Part 5 on 10 September 1994 (*Gazette No. G33, 18 August 1994*)
- Health (General Amendment) Act 1988 - Sections 16, 35, 44 and 47 on 1 September 1994 (*Gazette No. G33, 18 August 1994*)

- Meat Industry Act 1993 - Sections 6, 31, 32, 34(3), 39 and 81 on 1 July 1994 (*Gazette No. G25, 23 June 1994*)
- Medical Practice Act 1994 - Remaining provisions on 1 July 1994 (*Gazette No. G25, 23 June 1994*)
- Melbourne Exhibition Centre Act 1994 - Remainder of Act on 18 August 1994 (*Gazette No. G33, 18 August 1994*)
- Melbourne University (VCAH) Act 1992 - Section 13 on 16 June 1994 (*Gazette No. G25, 23 June 1994*)
- Nurses Act 1993 - Remaining provisions on 1 July 1994 (*Gazette No. G24, 16 June 1994*).
- Office of the Regulator-General Act 1994 - Provisions (other than sections 1 and 2) on 1 July 1994 (*Gazette No. S39, 29 June 1994*)
- Sentencing (Victim Impact Statement) Act 1994 - Sections 4 to 9 inclusive on 31 May 1994 (*Gazette No. G21, 26 May 1994*)
- State Bank of South Australia (Transfer of Undertaking) Act 1994 - Whole Act on 15 June 1994 (*Gazette No. G25, 23 June 1994*)
- State Trustees (State Owned Company) Act 1994 - Sections 4 to 26 and 28 to 42 inclusive on 1 July 1994 (*Gazette No. S36, 23 June 1994*)
- Stock (Seller Liability and Declarations) Act 1993 - Sections 3 to 38 inclusive on 26 May 1994 (*Gazette No. G21, 26 May 1994*)
- Swan Hill Pioneer Settlement Authority (Repeal) Act 1994 - Remaining sections on 30 June 1994 (*Gazette No. G26, 30 June 1994*)
- Transport (Further Amendment) Act 1994 - Sections 5, 6 and 7 on 1 September 1994 (*Gazette No. S58, 30 August 1994*)
- Victorian Funds Management Corporation Act 1994 - Sections 5 to 42 inclusive on 19 July 1994 (*Gazette No. S50, 19 July 1994*)
- Vocational Education and Training (Amendment) Act 1994 - Section 77 on 30 June 1994. All other provisions (except sections 13 and 14 and Parts 12 and 13) not already in operation on 1 July 1994. Part 12 on 1 August 1994. Part 13 on 1 December 1994 (*Gazette No. G25, 23 June 1994*).

- 4 APPOINTMENT OF TABCORP CHIEF EXECUTIVE** - Motion made and question proposed - That this House - (a) notes the disastrous losses incurred by Southcorp Holdings as a result of investments in the U.S. water heater business Mor-Flo that were initiated by Mr Ross Wilson when he was Chief Executive of Southcorp Holdings; (b) notes that as a result of Mr Wilson's initiative Southcorp was forced to write off \$68.7 million of its U.S. investment; (c) notes that despite the grandiose forecasts by Mr Wilson that Mor-Flo would break even in 1993-94 its operating loss actually blew out from \$16.4 million in 1992-93 to \$26 million in 1993-94; (d) notes that the appointment of Ross Wilson as Chief Executive of Tabcorp was recommended to the Treasurer by Mr Michael Tilley of Centaurus Corporate Finance, the Government financial advisers on the TAB float, and Mr Peter Scanlon, the former Elders IXL Executive and TAB Chairman, both good friends of Mr Wilson; (e) condemns the Treasurer for his irresponsible approval of the obscene \$8 million salary package for Mr Wilson and his hasty appointment of Centaurus Corporate Finance to oversee the TAB float after taking only three days to advertise the contract, interview candidates and select Centaurus Corporate Finance; and (f) calls on the Government to withhold payment of fees to Centaurus Corporate Finance because of its gross failure to properly oversee the TAB float and to act in the best interests of Victorian Taxpayers (*Mr Brumby*) - and, after debate -

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

- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 6 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Appropriation (1994-95, No. 1) Bill, and transmitting Estimates of Expenditure requiring annual appropriation in the financial year 1994-95 for recurrent services and for certain works and purposes.
- Estimates ordered to lie on the Table.
- 7 **APPROPRIATION (1994-95, No. 1) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "*to appropriate certain sums out of the Consolidated Fund for recurrent services and for certain works and services for the financial year 1994-95 and to appropriate the supplies granted for recurrent services and for certain works and services under the 'Appropriation (Interim 1994-95) Act 1994' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time forthwith.
- Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 21 September 1994.
- 8 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Appropriation (Parliament 1994-95, No. 1) Bill, and transmitting Estimates of Expenditure requiring annual appropriation in the financial year 1994-95 for recurrent services and for certain works and purposes.
- Estimates ordered to lie on the Table.
- 9 **APPROPRIATION (PARLIAMENT 1994-95, No. 1) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "*to appropriate moneys out of the Consolidated Fund for recurrent services and for certain works and services for the Parliament for the financial year 1994-95 and to appropriate the supplies granted for recurrent services and for certain works and services under the 'Appropriation (Parliament) (Interim 1994-95) Act 1994' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time forthwith.
- Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Thomson, Pascoe Vale*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 21 September 1994.
- 10 **AGRICULTURAL AND VETERINARY CHEMICALS (VICTORIA) BILL** - Mr McGrath (*Wimmera*) obtained leave, with Mr McNamara, to bring in a Bill "*to apply certain laws of the Commonwealth relating to agricultural and veterinary chemical products as laws of Victoria, and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 11 **DOMESTIC (FERAL AND NUISANCE) ANIMALS BILL** - Mr McGrath (*Wimmera*) obtained leave, with Mr McNamara, to bring in a Bill "*to provide for the management of feral and nuisance domestic animals, the regulation of domestic animals and domestic animal businesses, to repeal the 'Dog Act 1970' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **MARGARINE (REPEAL) BILL** - Mr McGrath (*Wimmera*) obtained leave, with Mr McNamara, to bring in a Bill "*to repeal the 'Margarine Act 1975' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **AGRICULTURE (REGISTERED OCCUPATIONS) BILL** - Mr McGrath (*Wimmera*) obtained leave, with Mr McNamara, to bring in a Bill "*to amend the 'Dried Fruits Act 1958' and the 'Prevention of Cruelty to Animals Act 1986', to repeal the requirement about registration of certain occupations and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **LIQUOR CONTROL (AMENDMENT) BILL** - Mr Stockdale, pursuant to a motion moved on his behalf by Mr Smith (*Polwarth*), obtained leave, with Mr Heffernan, to bring in a Bill "*to amend the 'Liquor Control Act 1987' in relation to the recovery of licence fees and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **LOTTERIES GAMING AND BETTING (BETTING) BILL** - Mr Reynolds obtained leave, with Mr Smith (*Polwarth*), to bring in a Bill "*to amend the 'Lotteries Gaming and Betting Act 1966' and the 'Stamps Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **FINANCIAL MANAGEMENT (AMENDMENT) BILL** - Mr Smith (*Polwarth*) obtained leave, with Mr Stockdale, to bring in a Bill "*to amend the 'Financial Management Act 1994' in relation to supply management and various other matters, to amend other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 **FISHERIES (AMENDMENT) BILL** - Mr Coleman, pursuant to a motion moved on his behalf by Mr Smith (*Polwarth*), obtained leave, with Mr Smith (*Polwarth*), to bring in a Bill "*to amend the 'Fisheries Act 1968' and the 'Conservation, Forests and Lands Act 1987' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Order read for resuming debate on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 20 *ante*); debate resumed.

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

- 19 **ADJOURNMENT** - Mr Speaker, having announced that the time for adjournment of the House had arrived, left the Chair, after debate, at 10.47 p.m.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 4 - Thursday, 8 September 1994

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

Metropolitan Ambulance Service - Seeking that the budget cuts to the Metropolitan Ambulance Service be reversed with a view to further increasing funding to cope with demand, bearing 2,299 and 76 signatures (*by Mr Thwaites and Mr Baker, respectively*).

Severally ordered to lie on the Table.
- 3 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 13 September 1994 (*Mr Gude*) - put and agreed to.
- 4 **AGRICULTURAL AND VETERINARY CHEMICALS (VICTORIA) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).
Mr McGrath (Wimmera) made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.
Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 22 September 1994.
- 5 **MARGARINE (REPEAL) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).
Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
Ordered, after debate - That the debate be adjourned until Thursday, 15 September 1994.
- 6 **AGRICULTURE (REGISTERED OCCUPATIONS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).
Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 22 September 1994.

- 7 **LIQUOR CONTROL (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Heffernan*).
- Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 22 September 1994.
- 8 **LOTTERIES GAMING AND BETTING (BETTING) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).
- Motion made and question - That the debate be now adjourned (*Mrs Wilson*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 22 September 1994.
- 9 **FINANCIAL MANAGEMENT (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Smith, Polwarth*).
- Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 22 September 1994.
- 10 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 7, be postponed until later this day.
- 11 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Order read for resuming debate on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 20 *ante*); debate resumed.

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

- 12 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 13 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Debate continued on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 20 *ante*).
- Motion made and question - That the debate be now adjourned (*Mr Lupton*) - put and agreed to.
- Ordered - That the debate be adjourned until later this day.
- 14 **DOMESTIC (FERAL AND NUISANCE) ANIMALS BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).
- Mr McGrath (Wimmera) made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 22 September 1994.

- 15 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Order read for resuming debate on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 20 *ante*); debate resumed.
Motion made and question - That the debate be now adjourned (*Mr Rowe*) - put and agreed to.
Ordered - That the debate be adjourned until tomorrow.
- 16 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mrs Wade*) - put and agreed to.
- 17 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 5.02 p.m., adjourned until Tuesday, 13 September 1994.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 5, 6, 7 and 8

No. 5 - Tuesday, 13 September 1994

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **DEATH OF THE HONOURABLE GEOFFREY PHILLIP HAYES** - Motion made and question - That this House expresses its sincere sorrow at the death of the Honourable Geoffrey Phillip Hayes, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Scoresby from 1967 to 1976 and the Electoral District of Wantirna from 1976 to 1982, Minister for Planning from 1976 to 1978 and Minister of Housing from 1976 to 1979 (*Mr Kennett*) - put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 3 **ADJOURNMENT** - Motion made and question - That, as a further mark of respect to the memory of the late Honourable Geoffrey Phillip Hayes, the House do now adjourn until 4.00 p.m. this day (*Mr Kennett*) - put and agreed to.

And the House, at 2.51 p.m. adjourned until 4.00 p.m. this day.

J.G. LITTLE

Clerk of the Legislative Assembly

JOHN E. DELZOPPO

Speaker

No. 6 - Tuesday, 13 September 1994

(FOUR O'CLOCK)

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
Kaniva District Hospital and Nursing Home - Seeking that there will be no further reduction in financial assistance to the Kaniva District Hospital and Nursing Home, bearing 853 signatures (*by Mr Kilgour*).

Ordered to lie on the Table.

- 4 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 8 of 1994, on the -
- Appropriation (Parliament 1994-95, No. 1) Bill
 - Appropriation (1994-95, No. 1) Bill
 - Dentists (Amendment) Bill
 - Property Law (Amendment) Bill
 - Royal Agricultural Show-grounds (Amendment) Bill
 - Margarine (Repeal) Bill
 - Agriculture (Registered Occupations) Bill
 - Lotteries Gaming and Betting (Betting) Bill
- together with an Appendix.
- Ordered to lie on the Table and to be printed.
- 5 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Parliamentary Committees Act 1968 - Response from the Minister for Public Transport on the action taken with respect to the recommendations made by the Crime Prevention Committee Inquiry into Personal Safety on the Public Transport System in its Second and Final Report
 - Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
 - Buln Buln Planning Scheme - No. L36
 - Cranbourne Planning Scheme - Nos. L49 Part 3, L108
 - Diamond Valley Planning Scheme - No. L46
 - Greater Geelong Planning Scheme - Nos. L101, RL46
 - Keilor Planning Scheme - No. L66
 - Knox Planning Scheme - No. L79
 - Melton Planning Scheme - Nos. L31, L40
 - Prahran Planning Scheme - No. L54
 - South Gippsland Planning Scheme - No. L30
 - Springvale Planning Scheme - No. L66
 - St Kilda Planning Scheme - No. L28
 - Sunshine Planning Scheme - No. L74
 - Traralgon (City) Planning Scheme - No. L49
 - Transport Superannuation Board - Report on the Actuarial Investigation of the Fund as at 30 June 1993.
- 6 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Order of the Day, Government Business, relating to the Margarine (Repeal) Bill be considered and completed by 4.00 p.m. on Thursday, 15 September 1994 (*Mr Gude*) - put and agreed to.
- 7 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Order read for resuming debate on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 20 *ante*); debate resumed.

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

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

Debate continued on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 20 *ante*).

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

Ordered - That the debate be adjourned until tomorrow.

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

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

And the House, at 11.01 p.m., adjourned until tomorrow.

J.G. LITTLE

Clerk of the Legislative Assembly

JOHN E. DELZOPPO

Speaker

No. 7 - Wednesday, 14 September 1994

1 Mr Speaker took the Chair and read the Prayer.

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

Planning Amendments RL155 and RL160 - Seeking that the Minister for Planning not proceed with planning amendments RL155 and RL160 which would reduce planning restrictions on take-away food outlets and thereby threaten residential amenity and people's quality of life, bearing 63 signatures (*by Mr Thomson, Pascoe Vale*).

Ordered to lie on the Table.

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

Chiropractors and Osteopaths Registration Board - Report for the year 1993

Dental Technicians Act 1972 -

Advanced Dental Technicians Qualifications Board - Reports for the years 1991-92 and 1992-93 (two papers)

Dental Technicians Licensing Committee - Reports for the years 1991-92 and 1992-93 (two papers)

Medical Board of Victoria - Report for the year 1992-93

Victorian Psychological Council - Report for the year 1993.

4 **PRIVATE HEALTH INSURANCE** - Motion made and question proposed - That this House recognises the effect of the decline in levels of private health insurance on the public

hospital system in Victoria and calls on the Federal Minister for Health to take urgent and decisive action to arrest and reverse this decline (*Dr Naphthine*) - and, after debate -

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

- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 6 **INTELLECTUALLY DISABLED PERSONS' SERVICES (AMENDMENT) BILL** - Mr John obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Intellectually Disabled Persons' Services Act 1986' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 **AUSTRALIAN GRAND PRIX BILL** - Mr McNamara, pursuant to a motion moved on his behalf by Mr Gude, obtained leave, with Mrs Tehan, to bring in a Bill "to establish a body corporate to be known as the Australian Grand Prix Corporation, to amend the 'Borrowing and Investment Powers Act 1987' and the 'Liquor Control Act 1987' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Order read for resuming debate on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 20 *ante*); debate resumed.
Motion made and question - That the debate be now adjourned (*Mr Haermeyer*) - put and agreed to.
Ordered - That the debate be adjourned until tomorrow.
- 9 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Maclellan, Pakenham*) - put and agreed to.
- 10 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 10.50 p.m., adjourned until tomorrow.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 8 - Thursday, 15 September 1994

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
Planning Amendments RL155 and RL160 - Seeking that the Minister for Planning not proceed with planning amendments RL155 and RL160 which would reduce planning

restrictions on take-away food outlets and thereby threaten residential amenity and people's quality of life, bearing 17 signatures (by Mr Thomson, Pascoe Vale).

Ordered to lie on the Table.

- 3 **PAPERS** - The following Papers, pursuant to a direction of an Act of Parliament, were laid upon the Table by the Clerk:

Statutory Rules under the following Acts-

Crimes Act 1958 - S.R. No. 129

Land Tax Act 1958 - S.R. No. 132

Optometrists Registration Act 1958 - S.R. No. 133.

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

Agricultural and Veterinary Chemicals (Victoria) Bill

Domestic (Feral and Nuisance) Animals Bill

Financial Management (Amendment) Bill

Margarine (Repeal) Bill.

- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 4 October 1994 (*Mr McGrath, Wimmera*) - put and agreed to.

- 6 **MARGARINE (REPEAL) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

- 7 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Order read for resuming debate on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 20 *ante*); debate resumed.

Amendment proposed - That the following words be added to the proposed Address "but is of the view that loyalty should be expressed to the Constitution and people of the State of Victoria within the Commonwealth and calls on the Government to respect and restore the responsibility and accountability of Government to the Parliament and to introduce policies to meet the needs and desires of the people of Victoria" (*Mr Brumby*).

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

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

Member named and suspended - The Honourable the Leader of the Opposition (*Mr Brumby*) having being named by Mr Speaker for disregarding the authority of the Chair -

Motion made and question - That the Honourable the Leader of the Opposition (*Mr Brumby*) be suspended from the service of the House (*Mr McGrath, Wimmera*) - put.

The House divided.

AYES, 58

Mr Ashley	Mr John	Mr Paterson	Mr Spry
Mr Bildstien	Mr Kennett	Mr Perrin	Mr Steggall
Mr Brown	Mr Kilgour	Mr Perton	Mr Stockdale
Mr Clark	Mr Leigh	Mr Pescott	Mr Tanner
Mr Coleman	Mr Lupton	Mrs Peulich	Mrs Tehan
Mr Cooper	Mr McArthur	Mr Phillips	Mr Thompson
Mr Davis	Mrs McGill	Mr Plowman	(Sandringham)
Dr Dean	Mr McGrath	(Benambra)	Mr Treasure
Mr Doyle	(Warrnambool)	Mr Plowman	Mrs Wade
Mr Elder	Mr McGrath	(Evelyn)	Mr Weideman
Mrs Elliott	(Wimmera)	Mr Reynolds	Mr Wells
Mr Finn	Mr McLellan	Mr Richardson	
Mr Hayward	(Frankston East)	Mr Rowe	
Mr Heffernan	Mr McNamara	Mr Ryan	
Mrs Henderson	Mr Maclellan	Mr Smith	
Mr Honeywood	(Pakenham)	(Glen Waverley)	Tellers
Mr Hyams	Mr Maughan	Mr Smith	Mr Jenkins
Mr Jasper	Dr Napthine	(Polwarth)	Mr Traynor

NOES, 26

Mr Andrianopoulos	Ms Garbutt	Mr Sandon	Mrs Wilson
Mr Baker	Mr Haermeyer	Mr Seitz	
Mr Batchelor	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Loney	Mr Sheehan	
Dr Coghill	Ms Marple	Mr Thomson	
Mr Cole	Mr Micallef	(Pascoe Vale)	Tellers
Mr Cunningham	Mr Mildenhall	Mr Thwaites	Mr Bracks
Mr Dollis	Mr Pandazopoulos	Dr Vaughan	Mr Carli

And so it was resolved in the affirmative.

Thereupon Mr Brumby withdrew from the Chamber.

- 9 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Debate continued on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 20 *ante*) - *and on the amendment* - That the following words be added to the proposed Address "but is of the view that loyalty should be expressed to the Constitution and people of the State of Victoria within the Commonwealth and calls on the Government to respect and restore the responsibility and accountability of Government to the Parliament and to introduce policies to meet the needs and desires of the people of Victoria."

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

Ordered - That the debate be adjourned until tomorrow.

- 10 **PAPER** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

Finance Department - Report for the year 1993-94.

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- 11 **INTELLECTUALLY DISABLED PERSONS' SERVICES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr John*).
Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 29 September 1994.
- 12 **AUSTRALIAN GRAND PRIX BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McNamara*).
Mr McNamara made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.
Motion made and question - That the debate be now adjourned (*Mr Thomson, Pascoe Vale*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 29 September 1994.
- 13 **FISHERIES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
Motion made and question - That the debate be now adjourned (*Mr Marple*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 29 September 1994.
- 14 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr McGrath, Wimmera*) - put and agreed to.
- 15 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 5.16 p.m., adjourned until Tuesday, 4 October 1994.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 9, 10, 11 and 12

No. 9 - Tuesday, 4 October 1994

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
Member named and suspended - The Honourable Member for Yan Yean (*Mr Haermeyer*) having been named by Mr Speaker for disregarding the authority of the Chair -
Motion made and question - That the Honourable Member for Yan Yean (*Mr Haermeyer*) be suspended from the service of the House (*Mr Gude*) - put.
The House divided.

AYES, 58

Mr Ashley	Mr Jenkins	Mr Perton	Mr Tanner
Mr Bildstien	Mr John	Mr Pescott	Mrs Tehan
Mr Brown	Mr Kennett	Mrs Peulich	Mr Thompson
Mr Clark	Mr Kilgour	Mr Phillips	(<i>Sandringham</i>)
Mr Coleman	Mr Leigh	Mr Plowman	Mr Traynor
Mr Cooper	Mr Lupton	(<i>Benambra</i>)	Mr Treasure
Mr Davis	Mr McArthur	Mr Plowman	Mr Turner
Dr Dean	Mrs McGill	(<i>Evelyn</i>)	Mrs Wade
Mr Doyle	Mr McGrath	Mr Reynolds	Mr Weideman
Mr Elder	(<i>Wimmera</i>)	Mr Richardson	Mr Wells
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	(<i>Frankston East</i>)	Mr Ryan	
Mr Gude	Mr Maclellan	Mr Smith	
Mr Hayward	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	
Mr Heffernan	Mr Maughan	Mr Smith	
Mr Honeywood	Dr Naphthine	(<i>Polwarth</i>)	<i>Tellers</i>
Mr Hyams	Mr Paterson	Mr Steggall	Mrs Henderson
Mr Jasper	Mr Perrin	Mr Stockdale	Mr Spry

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Haermeyer	Mr Pandazopoulos	Dr Vaughan
Mr Brumby	Mr Hamilton	Mr Sandon	Mrs Wilson
Dr Coghill	Mr Leighton	Mr Seitz	
Mr Cole	Mr Loney	Mr Sercombe	<i>Tellers</i>
Mr Cunningham	Ms Marple	Mr Thomson	Mr Bracks
Mr Dollis	Mr Micallef	(<i>Pascoe Vale</i>)	Mr Carli

And so it was resolved in the affirmative.

Thereupon Mr Haermeyer withdrew from the Chamber.

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

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

Valdora Minerals Mining Company - Seeking that the Minister for Energy and Minerals take steps to ensure the cessation of mining operations by the Valdora Minerals Mining Company due to the detrimental and dangerous effects to a residential area, bearing 309 signatures (*by Mr Traynor*)

Playhouse - Ballarat - Seeking that the House take all necessary steps to continue its commitment to Playhouse in Ballarat to ensure the viability of Early Intervention Programmes for families of children with long term disabilities in the Central Highlands region, bearing 494 signatures (*by Mr Traynor*)

Maternity Care - Seeking that legislation be enacted which will provide essential changes to maternity care given in Victorian Public Hospitals, bearing 28 signatures (*by Ms Garbutt*)

Sodomy - Seeking that legislation be enacted to make the commission of sodomy a criminal offence, to prevent this serious health hazard from being promoted in the media and educational institutions as a valid form of sexual intercourse, bearing 40 and 34 signatures (*by Mr McArthur and Mr Maughan, respectively*)

Rural Petrol Pricing - Seeking that equity in petrol pricing be restored to allow for rural communities to benefit from petrol price discounting in line with metropolitan communities, bearing 161 signatures (*by Mr Maughan*).

Severally ordered to lie on the Table.

4 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 9 of 1994 on the -

Fisheries (Amendment) Bill
 Domestic (Feral and Nuisance) Animals Bill
 Emerald Tourist Railway (Amendment) Bill
 Financial Management (Amendment) Bill
 Liquor Control (Amendment) Bill
 Intellectually Disabled Persons' Services (Amendment) Bill
 Agricultural and Veterinary Chemicals (Victoria) Bill
 Australian Grand Prix Bill

together with an Appendix, Extracts from the Proceedings of the Committee, Minutes of Evidence and Submissions.

Ordered to lie on the Table and the Report, Appendix and Extracts from the Proceedings of the Committee to be printed.

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

Ballarat University - Report for the year 1993, together with an explanation from the Minister for Tertiary Education and Training for the delay in tabling

Financial Management Act 1994 - Budget Paper No. 3 1994-95

Land Conservation Council - Report for the year 1993-94

Members of Parliament (Register of Interests) Act 1978 - Summary of Returns - June 1994 and Summary of Variations notified between 26 May and 30 September 1994 -

Ordered to be printed

National Parks Act 1975 - Notice of Consent to the Renewal of Extractive Industry Lease for the quarrying of hornfels - Chiltern Park, under Section 40(5)

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

- Bacchus Marsh Planning Scheme - No. L38
- Bairnsdale (Shire) Planning Scheme - No. L42
- Ballaarat (City) Planning Scheme - Nos. L47, L52
- Bannockburn Planning Scheme - Nos. R18, R20
- Benalla City Planning Scheme - Nos. L23 Part 2, L31
- Bulla Planning Scheme - No. L82
- Buln Buln Planning Scheme - Nos. L31, L33
- Burinyong Planning Scheme - Nos. L29, L48
- Chiltern Planning Scheme - No. L21
- Colac Shire Planning Scheme - No. L9
- Cranbourne Planning Scheme - Nos. L87, L99
- Flinders Planning Scheme - Nos. L114, L116
- Frankston Planning Scheme - No. L57
- Greater Bendigo Planning Scheme - Nos. L8, L11
- Greater Geelong Planning Scheme - No. RL56
- Hastings Planning Scheme - Nos. L19, L88 Part 1
- Kerang (Borough) Planning Scheme - No. L3
- Korumburra Planning Scheme - Nos. L58, L61
- Moorabbin Planning Scheme - No. L51
- Nathalia Planning Scheme - No. L7
- Newham and Woodend Planning Scheme - No. L29
- Northcote Planning Scheme - No. L20
- Pakenham Planning Scheme - No. L90
- Phillip Island Planning Scheme - No. L49
- Prahran Planning Scheme - No. L55
- Rodney Planning Scheme - Nos. L68, L76
- Shepparton Shire Planning Scheme - No. L64
- South Gippsland Planning Scheme - No. L27 (Part2)
- Springvale Planning Scheme - No. L49
- Swan Hill City Planning Scheme - No. L16
- Swan Hill (Shire) Planning Scheme - No. L9
- Warragul Planning Scheme - No. L29
- Werribee Planning Scheme - No. L69
- Whittlesea Planning Scheme - No. L85
- Wodonga Planning Scheme - No. L67
- Wonthaggi Planning Scheme - No. L20

Police Review Commission - Report for the period 26 August 1993 to 30 June 1994

Public Authorities (Equal Employment Opportunity) Act 1990 - Report describing the implementation and evaluation of Equal Employment Opportunity Programs in Public Authorities for the year 1992-93

State Owned Enterprises Act 1992 - Memorandum (including amendment to clause 7) and articles of association of State Trustees Limited

Statutory Rules under the following Acts:

- Building Control (Plumbers Gasfitters and Drainers) Act 1981 - S.R.No.131
- County Court Act 1958 - S.R.Nos. 134, 135, 145, 146

Drugs, Poisons and Controlled Substances Act 1981 - S.R. No. 130, together with copies of the following documents as required by Section 32 of the Interpretation of Legislation Act 1984 to accompany the Statutory Rule:

Poisons Code

National Health and Medical Research Council - Standard for the Uniform Scheduling of Drugs and Poisons No. 8, Appendix C, Appendix M and Schedule 9, together with Amendment No. 1, pages 4, 7 and 8

Firearms Act 1958 - S.R. No. 144

Health Act 1958 - S.R. No. 142

Juries Act 1967 - S.R. Nos. 138, 139

Local Government Act 1989 - S.R. No. 143

Magistrates' Court Act 1989 - S.R. No. 136

Melbourne and Metropolitan Board of Works Act 1958 - S.R. No. 141

Supreme Court Act 1986 - S.R. Nos. 137, 138

Tobacco Act 1987 - S.R. No. 140

Treasury Corporation of Victoria Act 1992 - S.R. No. 147

Treasury Corporation of Victoria - Report for the year 1993-94.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 6 September 1994:

Catchment and Land Protection Act 1994 - Part 2, Schedule 1 and the remaining provisions of Part 1 on 30 September 1994 (*Gazette No. G39, 29 September 1994*)

Electricity Industry (Amendment) Act 1994 - Sections 4(1), other than paragraphs (c) and (d), 4(3), 4(4), 4(5), 5, 6, 7, 10, 11, 13, 14(2), 15, 16, 17, 18, 19, 20, 21(2), 25, 26(1) (all remaining parts), 28 (all remaining parts), 29 (all remaining parts), 30, 31, 32, 33 and 34 on 3 October 1994 (*Gazette No. S64, 27 September 1994*)

Tobacco Leaf Industry (Deregulation) Act 1994 - Sections 3 to 10 inclusive on 30 September 1994 (*Gazette No. G39, 29 September 1994*)

Vocational Education and Training (Amendment) Act 1994 - Sections 13 and 14 on 15 September 1994 (*Gazette No. G37, 15 September 1994*).

- 6 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Australian Grand Prix Bill.
- 7 **CLAIMS BY LEADER OF THE OPPOSITION** - Motion made, by leave, and question proposed - That this House demands that the Leader of the State Opposition publicly withdraw his totally unsubstantiated claims of cronyism, personal benefit of particular individuals, including his assertion of clear cases where processes have not been followed or have been rorted for the benefit of particular individuals and his statement that he won't work with Victorian businessmen because he truly believes some will be in jail by the end of 1996 and calls upon him to either apologise to the Government, Victorian businessmen and public servants he has slandered or else provide full substantiation of his claims to the House (*Mr Gude*) - and, after debate.

Motion made and question proposed - That the debate be now adjourned (*Mr Cooper*) - and, after debate -

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

The House divided.

AYES, 53

Mr Ashley	Mr Jasper	Mr Pescott	Mr Tanner
Mr Bildstien	Mr Jenkins	Mr Phillips	Mrs Tehan
Mr Brown	Mr John	Mr Plowman	Mr Thompson
Mr Clark	Mr Kilgour	(Benambra)	(Sandringham)
Mr Coleman	Mr Leigh	Mr Plowman	Mr Traynor
Mr Cooper	Mr Lupton	(Evelyn)	Mr Treasure
Mr Davis	Mr McArthur	Mr Reynolds	Mr Turner
Dr Dean	Mrs McGill	Mr Richardson	Mrs Wade
Mr Elder	Mr McLellan	Mr Rowe	Mr Weideman
Mrs Elliott	(Frankston East)	Mr Smith	Mr Wells
Mr Finn	Mr Maclellan	(Glen Waverley)	
Mr Gude	(Pakenham)	Mr Smith	
Mr Hayward	Dr Napthine	(Polwarth)	Tellers
Mr Heffernan	Mr Paterson	Mr Spry	Mr Doyle
Mrs Henderson	Mr Perrin	Mr Steggall	Mrs Peulich
Mr Hyams	Mr Perton	Mr Stockdale	

NOES, 25

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Pandazopoulos	Dr Vaughan
Mr Batchelor	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Seitz	
Dr Coghill	Mr Loney	Mr Sercombe	Tellers
Mr Cole	Ms Marple	Mr Thomson	Mr Bracks
Mr Cunningham	Mr Micallef	(Pascoe Vale)	Mr Carli

And so it was resolved in the affirmative.

Question - That the debate be now adjourned - accordingly put.

The House divided.

AYES, 53

Mr Ashley	Mr Hyams	Mr Perton	Mr Steggall
Mr Bildstien	Mr Jasper	Mr Pescott	Mr Stockdale
Mr Brown	Mr Jenkins	Mrs Peulich	Mr Tanner
Mr Clark	Mr John	Mr Phillips	Mrs Tehan
Mr Coleman	Mr Kilgour	Mr Plowman	Mr Thompson
Mr Cooper	Mr Leigh	(Benambra)	(Sandringham)
Mr Davis	Mr Lupton	Mr Plowman	Mr Traynor
Dr Dean	Mr McArthur	(Evelyn)	Mr Turner
Mr Doyle	Mrs McGill	Mr Reynolds	Mrs Wade
Mr Elder	Mr McLellan	Mr Richardson	Mr Weideman
Mrs Elliott	(Frankston East)	Mr Rowe	
Mr Finn	Mr Maclellan	Mr Smith	
Mr Gude	(Pakenham)	(Glen Waverley)	
Mr Hayward	Dr Napthine	Mr Smith	Tellers
Mr Heffernan	Mr Paterson	(Polwarth)	Mr Treasure
Mrs Henderson	Mr Perrin	Mr Spry	Mr Wells

NOES, 25

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Pandazopoulos	Dr Vaughan
Mr Batchelor	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Seitz	
Dr Coghill	Mr Loney	Mr Sercombe	<i>Tellers</i>
Mr Cole	Ms Marple	Mr Thomson	Mr Bracks
Mr Cunningham	Mr Micallef	<i>(Pascoe Vale)</i>	Mr Carli

And so it was resolved in the affirmative.

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

- 8 **CRIME PREVENTION COMMITTEE - MEMBERSHIP** - Motion made, by leave, and question - That Mr Sandon be discharged from attendance on the Crime Prevention Committee and that Mr Haermeyer be appointed in his stead (*Mr Gude*) - put and agreed to.
- 9 **PUBLIC BODIES REVIEW COMMITTEE - MEMBERSHIP** - Motion made, by leave, and question - That Mr Haermeyer be discharged from attendance on the Public Bodies Review Committee and that Mr Sandon be appointed in his stead (*Mr Gude*) - put and agreed to.
- 10 **GRIEVANCES** - Motion made, by leave, and question - That for the purposes of Sessional Order No. 4(1), Wednesday, 5 October 1994 and Wednesday, 9 November 1994 be appointed days upon which the question "That grievances be noted" may be put (*Mr Gude*) - put and agreed to.
- 11 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question proposed - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Friday, 7 October 1994:
- Agriculture (Registered Occupations) Bill
 - Agricultural and Veterinary Chemicals (Victoria) Bill
 - Australian Grand Prix Bill

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

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

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

The House divided.

AYES, 54

Mr Ashley	Mr Hyams	Mr Perton	Mr Stockdale
Mr Bildstien	Mr Jasper	Mr Pescott	Mr Tanner
Mr Brown	Mr Jenkins	Mr Phillips	Mrs Tehan
Mr Clark	Mr John	Mr Plowman	Mr Thompson
Mr Coleman	Mr Kilgour	(Benambra)	(Sandringham)
Mr Cooper	Mr Leigh	Mr Plowman	Mr Traynor
Mr Davis	Mr Lupton	(Evelyn)	Mr Treasure
Dr Dean	Mr McArthur	Mr Reynolds	Mr Turner
Mr Doyle	Mrs McGill	Mr Richardson	Mrs Wade
Mr Elder	Mr McLellan	Mr Rowe	Mr Weideman
Mrs Elliott	(Frankston East)	Mr Smith	Mr Wells
Mr Finn	Mr Maclellan	(Glen Waverley)	
Mr Gude	(Pakenham)	Mr Smith	Tellers
Mr Hayward	Dr Napthine	(Polwarth)	Mrs Peulich
Mr Heffernan	Mr Paterson	Mr Spry	Mr Ryan
Mrs Henderson	Mr Perrin	Mr Steggall	

NOES, 25

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Pandazopoulos	Dr Vaughan
Mr Batchelor	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Seitz	Tellers
Dr Coghill	Mr Loney	Mr Sercombe	Mr Bracks
Mr Cole	Ms Marple	Mr Thomson	Mr Carli
Mr Cunningham	Mr Micallef	(Pascoe Vale)	

And so it was resolved in the affirmative.

Debate resumed on question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Friday, 7 October 1994:

Agriculture (Registered Occupations) Bill
 Agricultural and Veterinary Chemicals (Victoria) Bill
 Australian Grand Prix Bill.

Question - put.

The House divided.

AYES, 54

Mr Ashley	Mr Hyams	Mr Pescott	Mr Stockdale
Mr Bildstien	Mr Jasper	Mrs Peulich	Mr Tanner
Mr Brown	Mr Jenkins	Mr Phillips	Mrs Tehan
Mr Clark	Mr John	Mr Plowman	Mr Thompson
Mr Coleman	Mr Kilgour	(Benambra)	(Sandringham)
Mr Cooper	Mr Leigh	Mr Plowman	Mr Traynor
Mr Davis	Mr Lupton	(Evelyn)	Mr Treasure
Dr Dean	Mrs McGill	Mr Reynolds	Mr Turner
Mr Doyle	Mr McLellan	Mr Richardson	Mrs Wade
Mr Elder	(Frankston East)	Mr Ryan	Mr Weideman
Mrs Elliott	Mr Maclellan	Mr Smith	Mr Wells
Mr Finn	(Pakenham)	(Glen Waverley)	
Mr Gude	Dr Naphthine	Mr Smith	Tellers
Mr Hayward	Mr Paterson	(Polwarth)	Mr McArthur
Mr Heffernan	Mr Perrin	Mr Spry	Mr Rowe
Mrs Henderson	Mr Perton	Mr Steggall	

NOES, 25

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Pandazopoulos	Dr Vaughan
Mr Batchelor	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Seitz	Tellers
Dr Coghill	Mr Loney	Mr Sercombe	Mr Bracks
Mr Cole	Ms Marple	Mr Thomson	Mr Carli
Mr Cunningham	Mr Micallef	(Pascoe Vale)	

And so it was resolved in the affirmative.

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Transmitting a Bill for "*An Act to make minor amendments to the 'Property Law Act 1958'*".
- 13 **PROPERTY LAW (AMENDMENT) BILL** - On the motion of Mrs Wade, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Transmitting a Bill for "*An Act to make various amendments to the 'Dentists Act 1972' and for other purposes*".
- 15 **DENTISTS (AMENDMENT) BILL** - On the motion of Mrs Tehan, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Transmitting a Bill for "*An Act to amend the 'Emerald Tourist Railway Act 1977'*".
- 17 **EMERALD TOURIST RAILWAY (AMENDMENT) BILL** - On the motion of Mr McNamara, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Transmitting a Bill for "An Act to amend the 'Royal Agricultural Show-grounds Act 1931'".
- 19 **ROYAL AGRICULTURAL SHOW-GROUNDS (AMENDMENT) BILL** - On the motion of Mr McGrath (*Wimmera*), the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 20 **APPROPRIATION (1994-95, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
 Motion made and question proposed - That the debate be now adjourned (*Mr Thomson, Pascoe Vale*) - and, after debate -
 Motion made and question - That the question be now put (*Dr Naphthine*) - put.
 The House divided.

AYES, 58

Mr Ashley	Mr Jenkins	Mr Perrin	Mr Spry
Mr Bildstien	Mr John	Mr Perton	Mr Steggall
Mr Brown	Mr Kennett	Mr Pescott	Mr Stockdale
Mr Clark	Mr Kilgour	Mrs Peulich	Mr Tanner
Mr Coleman	Mr Leigh	Mr Phillips	Mr Tehan
Mr Cooper	Mr Lupton	Mr Plowman	Mr Thompson
Dr Dean	Mr McArthur	(<i>Benambra</i>)	(<i>Sandringham</i>)
Mr Doyle	Mrs McGill	Mr Plowman	Mr Traynor
Mr Elder	Mr McGrath	(<i>Evelyn</i>)	Mr Treasure
Mrs Elliott	(<i>Wimmera</i>)	Mr Reynolds	Mr Turner
Mr Gude	Mr McLellan	Mr Richardson	Mrs Wade
Mr Hayward	(<i>Frankston East</i>)	Mr Rowde	Mr Weideman
Mr Heffernan	Mr Maclellan	Mr Ryan	Mr Wells
Mrs Henderson	(<i>Pakenham</i>)	Mr Smith	
Mr Honeywood	Mr Maughan	(<i>Glen Waverley</i>)	<i>Tellers</i>
Mr Hyams	Dr Naphthine	Mr Smith	Mr Davis
Mr Jasper	Mr Paterson	(<i>Polwarth</i>)	Mr Finn

NOES, 24

Mr Andrianopoulos	Ms Garbutt	Mr Pandazopoulos	Dr Vaughan
Mr Baker	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Seitz	
Dr Coghill	Mr Loney	Mr Sercombe	
Mr Cole	Ms Marple	Mr Thomson	<i>Tellers</i>
Mr Cunningham	Mr Micallef	(<i>Pascoe Vale</i>)	Mr Bracks
Mr Dollis	Mr Mildenhall	Mr Thwaites	Mr Carli

And so it was resolved in the affirmative.

Question - That the debate be now adjourned - accordingly put.

The House divided.

AYES, 24

Mr Andrianopoulos	Ms Garbutt	Mr Pandazopoulos	Dr Vaughan
Mr Baker	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Seitz	
Dr Coghill	Mr Loney	Mr Sercombe	
Mr Cole	Ms Marple	Mr Thomson	<i>Tellers</i>
Mr Cunningham	Mr Micallef	(<i>Pascoe Vale</i>)	Mr Bracks
Mr Dollis	Mr Mildenhall	Mr Thwaites	Mr Carli

NOES, 58

Mr Ashley	Mr Jasper	Mr Pescott	Mr Tanner
Mr Bildstien	Mr John	Mrs Peulich	Mrs Tehan
Mr Brown	Mr Kennett	Mr Phillips	Mr Thompson
Mr Clark	Mr Kilgour	Mr Plowman	(<i>Sandringham</i>)
Mr Coleman	Mr Leigh	(<i>Benambra</i>)	Mr Treasure
Mr Cooper	Mr Lupton	Mr Plowman	Mr Turner
Mr Davis	Mr McArthur	(<i>Evelyn</i>)	Mrs Wade
Dr Dean	Mrs McGill	Mr Reynolds	Mr Weideman
Mr Doyle	Mr McGrath	Mr Richardson	Mr Wells
Mr Elder	(<i>Wimmera</i>)	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	(<i>Frankston East</i>)	Mr Smith	
Mr Gude	Mr MacLellan	(<i>Glen Waverley</i>)	
Mr Hayward	(<i>Pakenham</i>)	Mr Smith	
Mr Heffernan	Dr Napthine	(<i>Polwarth</i>)	
Mrs Henderson	Mr Paterson	Mr Spry	<i>Tellers</i>
Mr Honeywood	Mr Perrin	Mr Steggall	Mr Jenkins
Mr Hyams	Mr Perton	Mr Stockdale	Mr Traynor

And so it passed in the negative.

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

WEDNESDAY, 5 OCTOBER 1994

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

Motion made and question - That the debate be now adjourned (*Mr Smith, Glen Waverley*) - put and agreed to.

Ordered - That the debate be adjourned until tomorrow.

- 21 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Stockdale*) - put and agreed to.
- 22 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 3.35 a.m., adjourned until later this day.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 10 - Wednesday, 5 October 1994

- 1 Mr Speaker took the Chair and read the Prayer.
 - 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Australian Grand Prix** - Seeking that the Parliament enact legislation to prevent the conduct of the Australian Grand Prix or similar events at Albert Park, bearing 19,909 signatures (*by Mr Thwaites*)
 - Sodomy** - Seeking that legislation be enacted to make the commission of sodomy a criminal offence, to prevent this serious health hazard from being promoted in the media and educational institutions as a valid form of sexual intercourse, bearing 112 signatures (*by Mr Tanner*).
- Severally ordered to lie on the Table.
- 3 **ECONOMIC DEVELOPMENT COMMITTEE** - Mr Treasure brought up the Fifth Report from the Economic Development Committee upon the Inquiry into the Victorian Building and Construction Industry entitled Security of Payments, together with a Bibliography, Appendices, Extracts from the Proceedings of the Committee and a Minority Report.
Ordered to lie on the Table and to be printed.
 - 4 **GRIEVANCES** - Question - That grievances be noted - put, after debate, and agreed to.
 - 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).
 - 6 **EMERGENCY MANAGEMENT (AMENDMENT) BILL** - Mr McNamara obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Emergency Management Act 1986' and the 'Victoria State Emergency Service Act 1987' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
 - 7 **ESTATE AGENTS (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr McNamara, to bring in a Bill "*to amend the 'Estate Agents Act 1980', to consequentially amend the 'Auction Sales Act 1958' and the 'Stamps Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
 - 8 **LOCAL GOVERNMENT (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*), after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the 'Local Government Act 1989', the 'Environment Protection Act 1970' and the 'Transport Act 1983' and to repeal the 'Local Government (Miscellaneous) Act 1958' and the 'Prahran Market Act 1979' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
 - 9 **ROAD SAFETY (FURTHER AMENDMENT) BILL** - Mr Brown, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the 'Road Safety Act 1986' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 **THERAPEUTIC GOODS (VICTORIA) BILL** - Mrs Tehan, after debate, obtained leave with Mr Gude, to bring in a Bill "*relating to therapeutic goods, to make consequential amendments to certain Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **TRANSPORT ACCIDENT (GENERAL AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr Smith (*Polwarth*), to bring in a Bill "*to amend the 'Transport Accident Act 1986', the 'Road Safety Act 1986', the 'Evidence Act 1958' and the 'Accident Compensation (WorkCover Insurance) Act 1993', to consequentially amend the 'Accident Compensation Act 1985' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **VALUATION OF LAND (AMENDMENT) BILL** - Mr Smith (*Polwarth*) obtained leave, with Mr Stockdale, to bring in a Bill "*to amend the 'Valuation of Land Act 1960', the 'Administrative Appeals Tribunal Act 1984', the 'Local Government Act 1989' and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **PROPERTY LAW (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 19 October 1994.
- 14 **DENTISTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 19 October 1994.
- 15 **EMERALD TOURIST RAILWAY (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McNamara*).
- Mr McNamara made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 19 October 1994.
- 16 **ROYAL AGRICULTURAL SHOW-GROUNDS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 19 October 1994.
- 17 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered, after debate - That the consideration of Orders of the Day, Government Business, Nos. 5 to 8 inclusive, be postponed until later this day.

- 18 **CLAIMS BY LEADER OF THE OPPOSITION** - Order read for resuming debate on question - That this House demands that the Leader of the State Opposition publicly withdraw his totally unsubstantiated claims of cronyism, personal benefit of particular individuals, including his assertion of clear cases where processes have not been followed or have been rorted for the benefit of particular individuals and his statement that he won't work with Victorian businessmen because he truly believes some will be in jail by the end of 1996 and calls upon him to either apologise to the Government, Victorian businessmen and public servants he has slandered or else provide full substantiation of his claims to the House; debate resumed.

Question - put.

The House divided.

AYES, 52

Mr Ashley	Mr Hyams	Mr Maughan	Mr Tanner
Mr Bildstien	Mr Jenkins	Dr Napthine	Mrs Tehan
Mr Brown	Mr John	Mr Paterson	Mr Thompson
Mr Clark	Mr Kilgour	Mr Perrin	(Sandringham)
Mr Cooper	Mr Leigh	Mrs Peulich	Mr Traynor
Mr Davis	Mr Lupton	Mr Phillips	Mr Treasure
Dr Dean	Mr McArthur	Mr Plowman	Mr Turner
Mr Doyle	Mr McGrath	(Benambra)	Mrs Wade
Mr Elder	(Warrnambool)	Mr Reynolds	Mr Weideman
Mrs Elliott	Mr McGrath	Mr Richardson	
Mr Finn	(Wimmera)	Mr Rowe	
Mr Gude	Mr McLellan	Mr Smith	
Mr Hayward	(Frankston East)	(Glen Waverley)	
Mr Heffernan	Mr McNamara	Mr Spry	Tellers
Mrs Henderson	Mr Maclellan	Mr Steggall	Mrs McGill
Mr Honeywood	(Pakenham)	Mr Stockdale	Mr Wells

NOES, 22

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mrs Wilson
Mr Baker	Mr Haermeyer	Mr Pandazopoulos	
Mr Batchelor	Mr Hamilton	Mr Sandon	
Mr Brumby	Mr Leighton	Mr Seitz	Tellers
Mr Cole	Mr Loney	Mr Sercombe	Mr Bracks
Mr Cunningham	Ms Marple	Mr Thomson	Mr Carli
		(Pascoe Vale)	

And so it was resolved in the affirmative.

- 19 **APPROPRIATION (1994-95, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

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

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 11 - Thursday, 6 October 1994

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
Voluntary Student Unionism - Seeking that the Bill to amend the Tertiary Education Act 1993 in relation to voluntary student unionism be altered to allow colleges to continue to provide quality non-academic services to their students, bearing 49 signatures (*by Mr Turner*).
- Ordered to lie on the Table.
- 3 **PAPER** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
Small Business Victoria - Report for the year 1993-94.
- 4 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until tomorrow at 10.00 a.m. (*Mr Gude*) - put and agreed to.
- 5 **EMERGENCY MANAGEMENT (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McNamara*).
Motion made and question - That the debate be now adjourned (*Mr Cole*) - put and agreed to.
Ordered, after debate - That the debate be adjourned until Thursday, 20 October 1994.
- 6 **ESTATE AGENTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 20 October 1994.

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- 7 **LOCAL GOVERNMENT (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).
- Mr Maclellan (Pakenham) made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Leighton*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 20 October 1994.
- 8 **ROAD SAFETY (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).
- Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 20 October 1994.
- 9 **THERAPEUTIC GOODS (VICTORIA) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Mr Thwaites*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 20 October 1994.
- 10 **TRANSPORT ACCIDENT (GENERAL AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 20 October 1994.
- 11 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 7, be postponed until later this day.
- 12 **AGRICULTURE (REGISTERED OCCUPATIONS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 **AGRICULTURAL AND VETERINARY CHEMICALS (VICTORIA) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr McGrath (*Wimmera*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Debate resumed on question - That this Bill be now read a second time.
- Business having been interrupted at 2.00 p.m.
pursuant to Sessional Orders.*
- 14 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 15 **AGRICULTURAL AND VETERINARY CHEMICALS (VICTORIA) BILL** - Debate continued on question - That this Bill be now read a second time.

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

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

- 16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Margarine (Repeal) Bill without amendment.
- 17 **APPROPRIATION (1994-95, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 10.00 p.m.
pursuant to Sessional Orders.*
- 18 **ADJOURNMENT** - Mr Speaker, having announced that the time for adjournment of the House had arrived, left the Chair, after debate, at 10.51 p.m.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 12 - Friday, 7 October 1994

- 1 The House met pursuant to the adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Human Rights Protection** - Seeking that the House moves to protect the Human Rights of its lesbian and gay constituents and citizens, as recommended by the Scrutiny of Acts and Regulations Committee, by amending the *Equal Opportunity Act 1984* to prohibit discrimination on the grounds of a person's sexuality, bearing 431, 101, 74, 30, 103, 45 and 30 signatures (*by Mr Tanner, Mr Richardson, Mrs Elliott, Mr Cooper, Mr Hayward, Mr Paterson and Mr Wells, respectively*).
- Severally ordered to lie on the Table.
- 3 **PAPER** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
- Victorian Broiler Industry Negotiation Committee - Report for the year 1993-94.
- 4 **AUSTRALIAN GRAND PRIX BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr McNamara announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government - (a) releases all documents relevant to the Grand Prix; (b) undertakes an independent cost benefit analysis of the Grand Prix and details the extent of taxpayer liability for the event; (c) conducts a full and open inquiry into the health, planning and environmental effects of the Grand Prix at Albert Park, which gives residents, sporting clubs, businesses and any other person affected by the Grand Prix an opportunity to make submissions; (d) properly examines alternative sites for the Grand Prix including the Dockland site; and (e) undertakes not to appoint to the Australian Grand Prix Corporation any person with a conflict of interest or who stands to make pecuniary gain as a result of the Grand Prix." (Mr Dollis) - and, after debate -

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

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

- 6 AUSTRALIAN GRAND PRIX BILL - Debate continued on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government - (a) releases all documents relevant to the Grand Prix; (b) undertakes an independent cost benefit analysis of the Grand Prix and details the extent of taxpayer liability for the event; (c) conducts a full and open inquiry into the health, planning and environmental effects of the Grand Prix at Albert Park, which gives residents, sporting clubs, businesses and any other person affected by the Grand Prix an opportunity to make submissions; (d) properly examines alternative sites for the Grand Prix including the Dockland site; and (e) undertakes not to appoint to the Australian Grand Prix Corporation any person with a conflict of interest or who stands to make pecuniary gain as a result of the Grand Prix".

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 4 October 1994, had expired.

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

The House divided.

AYES, 53

Mr Ashley	Mr John	Dr Napthine	Mr Smith
Mr Bildstien	Mr Kilgour	Mr Paterson	(Polwarth)
Mr Brown	Mr Leigh	Mr Perrin	Mr Spry
Mr Clark	Mr Lupton	Mr Pescott	Mr Steggall
Mr Cooper	Mr McArthur	Mrs Peulich	Mr Stockdale
Mr Davis	Mrs McGill	Mr Phillips	Mr Tanner
Mr Doyle	Mr McGrath	Mr Plowman	Mrs Tehan
Mrs Elliott	(Warrnambool)	(Benambra)	Mr Traynor
Mr Finn	Mr McGrath	Mr Plowman	Mr Turner
Mr Gude	(Wimmera)	(Evelyn)	Mr Weideman
Mr Hayward	Mr McLellan	Mr Reynolds	Mr Wells
Mr Heffernan	(Frankston East)	Mr Richardson	
Mrs Henderson	Mr McNamara	Mr Rowe	Tellers
Mr Honeywood	Mr Maclellan	Mr Ryan	Mr Thompson
Mr Hyams	(Pakenham)	Mr Smith	(Sandringham)
Mr Jenkins	Mr Maughan	(Glen Waverley)	Mr Treasure

NOES, 21

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Hamilton	Mr Pandazopoulos	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Sandon	
Mr Cole	Mr Loney	Mr Seitz	<i>Tellers</i>
Mr Cunningham	Ms Marple	Mr Thomson	Mr Bracks
Mr Dollis	Mr Micallef	(<i>Pascoe Vale</i>)	Mr Carli

And so it was resolved in the affirmative.

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

The House divided.

AYES, 53

Mr Ashley	Mr Leigh	Mr Pescott	Mr Tanner
Mr Bildstien	Mr Lupton	Mrs Peulich	Mrs Tehan
Mr Brown	Mr McArthur	Mr Phillips	Mr Thompson
Mr Clark	Mrs McGill	Mr Plowman	(<i>Sandringham</i>)
Mr Cooper	Mr McGrath	(<i>Benambra</i>)	Mr Traynor
Mr Davis	(<i>Warrnambool</i>)	Mr Plowman	Mr Treasure
Mrs Elliott	Mr McGrath	(<i>Evelyn</i>)	Mr Turner
Mr Finn	(<i>Wimmera</i>)	Mr Reynolds	Mr Weideman
Mr Gude	Mr McLellan	Mr Richardson	Mr Wells
Mr Hayward	(<i>Frankston East</i>)	Mr Rowe	
Mr Heffernan	Mr McNamara	Mr Ryan	
Mrs Henderson	Mr MacLellan	Mr Smith	
Mr Honeywood	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	
Mr Hyams	Mr Maughan	Mr Smith	
Mr Jenkins	Dr Napthine	(<i>Polwarth</i>)	<i>Tellers</i>
Mr John	Mr Paterson	Mr Steggall	Mr Doyle
Mr Kilgour	Mr Perrin	Mr Stockdale	Mr Spry

NOES, 21

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Hamilton	Mr Pandazopoulos	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Sandon	
Mr Cole	Mr Loney	Mr Seitz	<i>Tellers</i>
Mr Cunningham	Ms Marple	Mr Thomson	Mr Bracks
Mr Dollis	Mr Micallef	(<i>Pascoe Vale</i>)	Mr Carli

And so it was resolved in the affirmative.

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

Question - That the Report of the Committee be taken into consideration forthwith - put.

The House divided.

AYES, 53

Mr Ashley	Mr Leigh	Mr Perrin	Mr Spry
Mr Bildstien	Mr Lupton	Mr Pescott	Mr Steggall
Mr Brown	Mr McArthur	Mrs Peulich	Mr Stockdale
Mr Clark	Mrs McGill	Mr Phillips	Mr Tanner
Mr Cooper	Mr McGrath	Mr Plowman	Mrs Tehan
Mr Davis	(Warrnambool)	(Benambra)	Mr Thompson
Mrs Elliott	Mr McGrath	Mr Plowman	(Sandringham)
Mr Gude	(Wimmera)	(Evelyn)	Mr Traynor
Mr Hayward	Mr McLellan	Mr Reynolds	Mr Treasure
Mr Heffernan	(Frankston East)	Mr Richardson	Mr Turner
Mrs Henderson	Mr McNamara	Mr Rowe	Mr Weideman
Mr Honeywood	Mr Maclellan	Mr Ryan	Mr Wells
Mr Hyams	(Pakenham)	Mr Smith	Tellers
Mr Jenkins	Mr Maughan	(Glen Waverley)	Mr Doyle
Mr John	Dr Napthine	Mr Smith	Mr Finn
Mr Kilgour	Mr Paterson	(Polwarth)	

NOES, 21

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Hamilton	Mr Pandazopoulos	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Sandon	Tellers
Mr Cole	Mr Loney	Mr Seitz	Mr Bracks
Mr Cunningham	Ms Marple	Mr Thomson	Mr Carli
Mr Dollis	Mr Micallef	(Pascoe Vale)	

And so it was resolved in the affirmative.

Amendments agreed to.

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

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

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

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

And the House, at 5.11 p.m., adjourned until Tuesday, 11 October 1994.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 13, 14, 15 and 16

No. 13 - Tuesday, 11 October 1994

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

Sodomy - Seeking that legislation be enacted to make the commission of sodomy a criminal offence, to prevent this serious health hazard from being promoted in the media and educational institutions as a valid form of sexual intercourse, bearing 44 signatures (*by Mr Tanner*).

Ordered to lie on the Table.

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

Adult, Community and Further Education Board - Report for the year 1993-94

Board of Studies - Report for the year 1993-94

Electric Light and Power Act 1958 - Report of the Chief Electrical Inspector upon Applications and Proceedings under the Act for the year 1993

Emerald Tourist Railway Board - Report for the year 1993-94

Latrobe Region Water Authority - Report for the year 1993-94

Marine Board of Victoria - Report for the year 1993-94

Plumbers, Gasfitters and Drainers Registration Board - Report for the year 1993-94

Port of Melbourne Authority - Report for the year 1993-94

Port of Portland Authority - Report for the year 1993-94

Renewable Energy Authority Victoria - Report for the year 1993-94

Rural Finance Corporation - Report for the year 1993-94

State Training Board - Report for the year 1993-94

Victorian Debt Retirement Fund - Report for the year 1993-94

Victorian Development Fund - Report for the year 1993-94

Young Farmers' Finance Council - Report for the year 1993-94.

The following proclamation fixing an operative date was laid upon the Table by the Clerk pursuant to an Order of the House dated 6 September 1994:

Occupational Health and Safety Act 1985 - Item 53 in Schedule Two on 1 October 1994 (*Gazette No. 566, 29 September 1994*).

- 5 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3) -
- (a) the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 1.00 p.m. on Thursday, 13 October 1994:
- Appropriation (1994-95, No. 1) Bill
Appropriation (Parliament 1994-95, No. 1) Bill; and
- (b) the Order of the Day, Government Business, relating to the Domestic (Feral and Nuisance) Animals Bill be considered and completed by 4.00 p.m. on Friday, 14 October 1994.
- (*Mr Gude*) - put, after debate and agreed to.
- 6 **VALUATION OF LAND (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Smith, Polwarth*).
- Motion made and question - That the debate be now adjourned (*Mr Thomson, Pascoe Vale*) - put and agreed to.
- Ordered - That the debate be adjourned until Tuesday, 25 October 1994.
- 7 **APPROPRIATION (1994-95, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 10.00 p.m.
pursuant to Sessional Orders.*
- Motion made and question - That the sitting be continued (*Mr Gude*) - put and agreed to.
- Debate continued on question - That this Bill be now read a second time.
- Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until tomorrow.
- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Agriculture (Registered Occupations) Bill without amendment.
- 9 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 10 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 10.49 p.m., adjourned until tomorrow.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 14 - Wednesday, 12 October 1994

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
Leashing of Dogs - Seeking that the section of the Domestic (Feral and Nuisance) Animals Bill pertaining to the leashing of dogs when outside the owners property be amended to stipulate that - (a) dogs may be permitted to be exercised off-lead, and under effective control in appropriate environments; and (b) councils be obliged to allocate areas where this may occur, bearing 188 signatures (by Mr McArthur).
Ordered to lie on the Table.
- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Architects Registration Board - Report for the year 1993-94
Tomato Industry Negotiating Committee - Report for the year 1993-94
Wine Grape Industry Negotiating Committee - Report for the year 1993-94.
- 4 **ORDER OF THE DAY DISCHARGED** - Motion made, by leave, and question - That the following Order of the Day, Government Business, be read and discharged: -
Liquor Control (Amendment) Bill - Second reading - Resumption of debate
and that the Bill be withdrawn (Mr Stockdale) - put and agreed to.
- 5 **IMPACT OF GOVERNMENT POLICIES ON COUNTRY VICTORIA** - Motion made and question proposed - That this House, noting that Government policies have already had a disastrous impact on country Victoria as evidenced by the closure of 151 country schools, country hospitals and five country rail lines, condemns the Government for the harsh and discriminatory impact on country Victorians of the Government's privatisation agenda for the electricity, ports, water, grain handling and racing industries, and calls on the Government to ensure that in any restructure of the former SECV the uniform tariff is maintained and accordingly that prices for business and consumers in the country, including all service and supply charges, are no greater than those of the city (Mr Brumby) - and, after debate -
*General Business having been interrupted at 2.00 p.m.
pursuant to Sessional Orders.*
- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 7 **EMPLOYEES RELATIONS (AMENDMENT) BILL** - Mr Gude obtained leave, with Mr McNamara, to bring in a Bill "to amend the 'Employee Relations Act 1992' and make consequential amendments to certain other Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **CORRECTIONS (AMENDMENT) BILL** - Mr McNamara obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Corrections Act 1986' to provide for the powers of the Minister and the Chief Commissioner of Police in relation to certain agreements, to provide for leave of absence for prisoners to travel interstate and to provide for improvements to the administration of that Act and

to amend the 'Prisoners (Interstate Transfer) Act 1983' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 **LAND (MISCELLANEOUS MATTERS) AND NATIONAL TENNIS CENTRE (AMENDMENT) BILL** - Mr Coleman, after debate, obtained leave with Mr Gude, to bring in a Bill "to amend the 'National Tennis Centre Act 1985' to make further provision with respect to national tennis centre land, to amend the 'Land (Revocation of Reservations) Act 1994' to continue leases over the Eastern Market Site, to remove several reservations over land, including land set aside for the Janefield Colony for the Treatment of Mental Defectives, to repeal the 'Mordialloc Public Hall and Courthouse Act 1965', the 'Buninyong (Recreation Reserve) Land Act 1971', to amend the 'Land (Further Miscellaneous Matters) Act 1994' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **HEALTH SERVICES (AMENDMENT) BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Health Services Act 1988', to repeal the provisions relating to nursing homes and hostels and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **SUBSTANTIATION BY THE LEADER OF THE OPPOSITION** - Motion made and question proposed - That this House demands that the Leader of the Opposition, having refused to substantiate his allegations of cronyism when given the opportunity in the House last week, should now - (a) name the two business people he identified during an on the record interview with Herald-Sun reporter Damon Johnston, detailing how these particular individuals benefited from the alleged roting of or departure from government processes that would see them in jail by 1996; or (b) if the Honourable Member is unable to meet the requirements of the House, publicly apologise or resign his position as Leader of the Opposition (*Mr McNamara*).

Amendment proposed - That all the words after "House" (where first occurring) be omitted with the view of inserting in place thereof the words ', given that the Leader of the Opposition at no time named any persons who he expected to go to jail, notes the Government's hypocrisy in seeking to have "names named" and thereby potentially bringing people into disrepute, given its alleged concern that reputations not be damaged, and further notes the Government's failure to understand the notion of conflict of interest, failing to ensure that businesses bidding for Government work are treated without fear or favour and that there are not special advantages for mates of the Government.' (*Mr Brumby*) - and, after debate.

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

Ordered - That the debate be adjourned until tomorrow.

- 12 **APPROPRIATION (1994-95, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

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

The House divided.

AYES, 54

Mr Ashley	Mr Jasper	Mr Maclellan	Mr Smith
Mr Bildstien	Mr Jenkins	(Pakenham)	(Glen Waverley)
Mr Brown	Mr John	Mr Maughan	Mr Spry
Mr Clark	Mr Kennett	Dr Napthine	Mr Steggall
Mr Coleman	Mr Kilgour	Mr Paterson	Mr Stockdale
Mr Cooper	Mr Leigh	Mr Perrin	Mr Tanner
Mr Davis	Mr Lupton	Mr Perton	Mr Thompson
Dr Dean	Mr McArthur	Mrs Peulich	(Sandringham)
Mr Elder	Mrs McGill	Mr Phillips	Mr Treasure
Mrs Elliott	Mr McGrath	Mr Plowman	Mr Turner
Mr Finn	(Warrnambool)	(Benambra)	Mr Weideman
Mr Gude	Mr McGrath	Mr Plowman	Mr Wells
Mr Hayward	(Wimmera)	(Evelyn)	
Mrs Henderson	Mr McLellan	Mr Richardson	Tellers
Mr Honeywood	(Frankston East)	Mr Rowe	Mr Doyle
Mr Hyams	Mr McNamara	Mr Ryan	Mr Traynor

NOES, 23

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Pandazopoulos	
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Brumby	Mr Leighton	Mr Sercombe	
Dr Coghill	Mr Loney	Mr Thomson	Tellers
Mr Cole	Ms Marple	(Pascoe Vale)	Mr Bracks
Mr Cunningham	Mr Micallef	Mr Thwaites	Mr Carli

And so it was resolved in the affirmative.

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

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

Ordered - That the debate be adjourned until tomorrow.

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

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

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

THURSDAY, 13 OCTOBER 1994

Question - put and agreed to.

And the House, at 12.25 a.m., adjourned until later this day.

No. 15 - Thursday, 13 October 1994

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Coal Corporation - Report for the year 1993-94
 - Construction Industry Long Service Leave Board - Report for the year 1993-94
 - Country Fire Authority - Report for the year 1993-94
 - Electricity Services Victoria - Report for the period ended 30 June 1994
 - Energy Brix Australia Corporation - Report for the period ended 30 June 1994
 - Gas and Fuel Corporation - Report for the year 1993-94
 - Generation Victoria - Report for the year 1993-94
 - Government Employee Housing Authority - Report for the year 1993-94
 - Historic Buildings Council - Report for the year 1993-94
 - Latrobe Regional Commission - Report for the year 1993-94
 - Legal Aid Commission - Report for the year 1993-94
 - Libraries Board of Victoria - Report for the year 1993-94
 - Melbourne Market Authority - Report for the year 1993-94
 - Melbourne Water Corporation - Report for the year 1993-94
 - Melbourne Water Corporation Employees' Superannuation Fund - Report for the year 1993-94
 - Metropolitan Fire Brigades Board - Report for the year 1993-94
 - Museums Advisory Board - Report for the year 1993-94
 - National Electricity - Report for the year 1993-94
 - Port of Geelong Authority - Report for the year 1993-94
 - Public Record Office - Report of the Keeper of the Public Records for the year 1993-94
 - Public Transport Corporation - Report for the year 1993-94
 - Roads Corporation - Report for the year 1993-94
 - Rural Finance Act 1988 - Direction by the Treasurer to the Rural Finance Corporation to establish, operate and administer a scheme of assistance for persons affected by potential drought conditions in Victoria
 - Stamps Act 1958 - Report of exemptions approved and refunds made pursuant to section 137R for the year 1993-94
 - State Electricity Commission - Report for the year 1993-94
 - State Library of Victoria Council - Report for the year 1993-94
 - Tourism Victoria - Report for the year 1993-94
 - Transport Accident Commission - Report for the year 1993-94
 - Victorian Dairy Industry Authority - Report for the year 1993-94
 - Victorian Meat Authority - Report for the year 1993-94

Victorian Prison Industries Commission - Report for the year 1993-94

Victorian Relief Committee - Report for the year 1993-94.

- 3 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until tomorrow at 10.00 a.m. (*Mr Gude*) - put and agreed to.
- 4 **COMO PROJECT BILL** - Mr Maclellan (*Pakenham*), pursuant to a motion moved on his behalf by Mr Gude, obtained leave, with Mr McNamara, to bring in a Bill "to repeal the 'South Yarra Project Act 1984' and to amend the 'South Yarra Project (Subdivision and Management) Act 1985' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 5 **LIQUOR CONTROL (AMENDMENT) BILL (No. 2)** - Mr Heffernan obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Liquor Control Act 1987' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 6 **APPROPRIATION (1994-95, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

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

- 7 **APPROPRIATION (PARLIAMENT 1994-95, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Allocation of time - Mr Speaker advised that the time allocated for consideration of the Appropriation (1994-95, No. 1) Bill and the Appropriation (Parliament 1994-95, No. 1) Bill pursuant to Resolution of House on Tuesday, 11 October 1994 had expired.

Question - put.

The House divided.

AYES, 52

Mr Ashley	Mr Jenkins	Mr Paterson	Mr Steggall
Mr Bildstien	Mr John	Mr Perrin	Mr Tanner
Mr Clark	Mr Kennett	Mr Pescott	Mrs Tehan
Mr Coleman	Mr Kilgour	Mrs Peulich	Mr Thompson
Mr Cooper	Mr Leigh	Mr Phillips	(<i>Sandringham</i>)
Mr Davis	Mr McArthur	Mr Plowman	Mr Traynor
Dr Dean	Mrs McGill	(<i>Benambra</i>)	Mr Treasure
Mr Doyle	Mr McGrath	Mr Reynolds	Mr Turner
Mr Elder	(<i>Warrnambool</i>)	Mr Richardson	Mr Wells
Mrs Elliott	Mr McGrath	Mr Rowe	
Mr Finn	(<i>Wimmera</i>)	Mr Ryan	
Mr Gude	Mr McNamara	Mr Smith	
Mr Hayward	Mr Maclellan	(<i>Glen Waverley</i>)	<i>Tellers</i>
Mrs Henderson	(<i>Pakenham</i>)	Mr Smith	Mr Lupton
Mr Honeywood	Mr Maughan	(<i>Polwarth</i>)	Mr McLellan
Mr Hyams	Dr Napthine	Mr Spry	(<i>Frankston East</i>)

NOES, 18

Mr Andrianopoulos	Mr Cunningham	Mr Micallef	Mrs Wilson
Mr Baker	Mr Hamilton	Mr Sandon	
Mr Batchelor	Mr Leighton	Mr Seitz	<i>Tellers</i>
Dr Coghill	Mr Loney	Mr Sercombe	Mr Bracks
Mr Cole	Ms Marple	Mr Thomson	Mr Pandazopoulos
		<i>(Pascoe Vale)</i>	

And so it was resolved in the affirmative.

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

- 8 **APPROPRIATION (1994-95, No. 1) BILL** - Question - That this Bill be now read a second time and third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

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

- 9 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 10 **SUBSTANTIATION BY THE LEADER OF THE OPPOSITION** - Order read for resuming debate on question - That this House demands that the Leader of the Opposition, having refused to substantiate his allegations of cronyism when given the opportunity in the House last week, should now - (a) name the two business people he identified during an on the record interview with Herald-Sun reporter Damon Johnston, detailing how these particular individuals benefited from the alleged rotting of or departure from government processes that would see them in jail by 1996; or (b) if the Honourable Member is unable to meet the requirements of the House, publicly apologise or resign his position as Leader of the Opposition - *and on the amendment* - That all the words after "House" (where first occurring) be omitted with the view of inserting in place thereof the words ' , given that the Leader of the Opposition at no time named any persons who he expected to go to jail, notes the Government's hypocrisy in seeking to have "names named" and thereby potentially bringing people into disrepute, given its alleged concern that reputations not be damaged, and further notes the Government's failure to understand the notion of conflict of interest, failing to ensure that businesses bidding for Government work are treated without fear or favour and that there are not special advantages for mates of the Government'; debate resumed.

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

Ordered - That the debate be adjourned until the next day of sitting.

- 11 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.
- 12 **CORRECTIONS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).

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

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

Ordered, after debate - That the debate be adjourned until Thursday, 27 October 1994.

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- 13 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 6, be postponed until later this day.
- 14 **HEALTH SERVICES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Mrs Wilson*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 27 October 1994.
- 15 **EMPLOYEE RELATIONS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).
- Motion made and question - That the debate be now adjourned (*Mr Thomson, Pascoe Vale*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 27 October 1994.
- 16 **DOMESTIC (FERAL AND NUISANCE) ANIMALS BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr McGrath (*Wimmera*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Debate resumed on question - That this Bill be now read a second time.

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

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

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 16 - Friday, 14 October 1994

- 1 The House met pursuant to the adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Human Rights Protection** - Seeking that the House moves to protect the Human Rights of its lesbian and gay constituents and citizens, as recommended by the Scrutiny of Acts and Regulations Committee, by amending the *Equal Opportunity Act 1984* to prohibit discrimination on the grounds of a person's sexuality, bearing 186 signatures (*by Mr Tanner*)
- Animal Acts** - Seeking that the House ban performances of circuses in the State of Victoria, which include exotic animal acts or exotic animal sideshows, bearing 223 signatures (*by Mr Tanner*)

Leashing of Dogs - Seeking that the section of the Domestic (Feral and Nuisance) Animals Bill pertaining to the leashing of dogs when outside the owners property be amended to stipulate that - (a) dogs may be permitted to be exercised off-lead, and under effective control in appropriate environments; and (b) councils be obliged to allocate areas where this may occur, bearing 23 signatures (*by Mrs McGill*).

Severally ordered to lie on the Table.

- 3 **VICTORIAN MEAT AUTHORITY** - Motion made, by leave, and question - That there be presented to this House a copy of the Victorian Meat Authority Corporate Plan for the years 1994-99 (*Mr McGrath, Wimmera*) - put and agreed to.

- 4 **PAPER** - Mr McGrath (*Wimmera*) presented:

Victorian Meat Authority - Corporate Plan for the years 1994-99 - Return to the foregoing Order.

Ordered to lie on the Table.

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

Estate Agents Board - Report for the year 1993-94

Guardianship and Administration Board - Report for the year 1993-94

Liquor Licensing Commission - Report for the year 1993-94

National Parks Advisory Council - Report for the year 1993-94

Parliamentary Committees Act 1968 - Responses from the Treasurer on the action taken with respect to the recommendations made by the Public Accounts and Estimates Committee's third report on the 1992-93 Budget Estimates and Outcome and sixth report on the 1993-94 Budget Estimates

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

All Planning Schemes - No. S37

Dandenong Planning Scheme - No. L28 Part 1

Daylesford and Glenlyon Planning Scheme - Nos. L9, L12 Part 1A

Phillip Island Planning Scheme - No. L46

South Melbourne Planning Scheme - No. L87

Public Advocate - Report of the Office for the year 1993-94 - Ordered to be printed

Rural Water Corporation - Report for the year 1993-94

State Trustees - Report for the year 1993-94

Urban Land Authority - Report for the year 1993-94

Victorian Financial Institutions Commission - Report for the year 1993-94

Victorian Plantations Corporation - Report for the year 1993-94

Victorian WorkCover Authority - Report for the year 1993-94.

- 6 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Financial Management (Amendment) Bill.

- 7 **DOMESTIC (FERAL AND NUISANCE) ANIMALS BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

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

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

- 9 **SUBSTANTIATION BY THE LEADER OF THE OPPOSITION** - Order read for resuming debate on question - That this House demands that the Leader of the Opposition, having refused to substantiate his allegations of cronyism when given the opportunity in the House last week, should now - (a) name the two business people he identified during an on the record interview with Herald-Sun reporter Damon Johnston, detailing how these particular individuals benefited from the alleged roting of or departure from government processes that would see them in jail by 1996; or (b) if the Honourable Member is unable to meet the requirements of the House, publicly apologise or resign his position as Leader of the Opposition - *and on the amendment* - That all the words after "House" (where first occurring) be omitted with the view of inserting in place thereof the words ', given that the Leader of the Opposition at no time named any persons who he expected to go to jail, notes the Government's hypocrisy in seeking to have "names named" and thereby potentially bringing people into disrepute, given its alleged concern that reputations not be damaged, and further notes the Government's failure to understand the notion of conflict of interest, failing to ensure that businesses bidding for Government work are treated without fear or favour and that there are not special advantages for mates of the Government.'

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

The House divided.

AYES, 48

Mr Bildstien	Mr Kennett	Dr Napthine	Mrs Tehan
Mr Brown	Mr Kilgour	Mr Paterson	Mr Traynor
Mr Clark	Mr Lupton	Mr Perrin	Mr Treasure
Mr Cooper	Mr McArthur	Mrs Peulich	Mr Turner
Mr Davis	Mrs McGill	Mr Phillips	Mrs Wade
Mr Doyle	Mr McGrath	Mr Plowman	Mr Weideman
Mr Elder	(Warrnambool)	(Benambra)	Mr Wells
Mrs Elliott	Mr McGrath	Mr Plowman	
Mr Finn	(Wimmera)	(Evelyn)	
Mr Hayward	Mr McLellan	Mr Reynolds	
Mrs Henderson	(Frankston East)	Mr Rowe	
Mr Hyams	Mr McNamara	Mr Ryan	Tellers
Mr Jasper	Mr Maclellan	Mr Spry	Dr Dean
Mr Jenkins	(Pakenham)	Mr Steggall	Mr Thompson
Mr John	Mr Maughan	Mr Tanner	(Sandringham)

NOES, 17

Mr Baker	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Batchelor	Mr Leighton	Mr Seitz	
Dr Coghill	Ms Marple	Mr Sercombe	<i>Tellers</i>
Mr Cunningham	Mr Micallef	Mr Thomson	Mr Bracks
Ms Garbutt	Mr Pandazopoulos	(<i>Pascoe Vale</i>)	Mr Carli

And so it was resolved in the affirmative.

Original question - put.

The House divided.

AYES, 49

Mr Bildstien	Mr John	Mr Maughan	Mrs Tehan
Mr Brown	Mr Kennett	Dr Naphthine	Mr Thompson
Mr Clark	Mr Kilgour	Mr Perrin	(<i>Sandringham</i>)
Mr Cooper	Mr Leigh	Mrs Peulich	Mr Traynor
Mr Davis	Mr McArthur	Mr Phillips	Mr Treasure
Dr Dean	Mrs McGill	Mr Plowman	Mr Turner
Mr Doyle	Mr McGrath	(<i>Benambra</i>)	Mrs Wade
Mr Elder	(<i>Warrnambool</i>)	Mr Plowman	Mr Weideman
Mrs Elliott	Mr McGrath	(<i>Evelyn</i>)	Mr Wells
Mr Finn	(<i>Wimmera</i>)	Mr Reynolds	
Mr Hayward	Mr McLellan	Mr Rowe	
Mrs Henderson	(<i>Frankston East</i>)	Mr Ryan	
Mr Hyams	Mr McNamara	Mr Spry	<i>Tellers</i>
Mr Jasper	Mr Maclellan	Mr Steggall	Mr Lupton
Mr Jenkins	(<i>Pakenham</i>)	Mr Tanner	Mr Paterson

NOES, 22

Mr Andrianopoulos	Mr Hamilton	Mr Sandon	
Mr Baker	Mr Leighton	Mr Seitz	
Mr Batchelor	Mr Loney	Mr Sercombe	
Mr Brumby	Ms Marple	Mr Thomson	
Dr Coghill	Mr Micallef	(<i>Pascoe Vale</i>)	<i>Tellers</i>
Mr Cunningham	Mr Mildenhall	Mr Thwaites	Mr Bracks
Ms Garbutt	Mr Pandazopoulos	Mrs Wilson	Mr Carli

And so it was resolved in the affirmative.

Ordered - That this House demands that the Leader of the Opposition, having refused to substantiate his allegations of cronyism when given the opportunity in the House last week, should now - (a) name the two business people he identified during an on the record interview with Herald-Sun reporter Damon Johnston, detailing how these particular individuals benefited from the alleged rorting of or departure from government processes that would see them in jail by 1996; or (b) if the Honourable Member is unable to meet the requirements of the House, publicly apologise or resign his position as Leader of the Opposition.

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

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- 11 **COMO PROJECT BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).
Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.
Ordered - That the debate be adjourned until Tuesday, 25 October 1994.
- 12 **LIQUOR CONTROL (AMENDMENT) BILL (No. 2)** - Motion made and question proposed - That this Bill be now read a second time (*Mr Heffernan*).
Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.
Ordered, after debate - That the debate be adjourned until Friday, 21 October 1994.
- 13 **FINANCIAL MANAGEMENT (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
Motion made, by leave, and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
Ordered - That the debate be adjourned until tomorrow, and that Mr Brumby have leave to continue his speech when the debate is resumed.
- 14 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Smith, Polwarth*) - put and agreed to.
- 15 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 4.56 p.m., adjourned until Tuesday, 18 October 1994.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos. 17, 18, 19, 20 and 21

No. 17 - Tuesday, 18 October 1994

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **DEATH OF THE HONOURABLE SIR RAYMOND WILLIAM GARRETT, AFC, AEA** - Motion made and question - That this House expresses its sincere sorrow at the death of the Honourable Sir Raymond William Garrett, AFC, AEA, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Council for the Electoral Province of Southern from 1958 to 1970, the Electoral Province of Templestowe from 1970 to 1976, President of the Legislative Council from 1968 to 1976 and Chairman of Committees of the Legislative Council from 1964 to 1968 (*Mr Kennett*) - put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 3 **ADJOURNMENT** - Motion made and question - That, as a further mark of respect to the memory of the late Honourable Sir Raymond William Garrett, AFC, AEA, the House do now adjourn until 3.30 p.m. this day (*Mr Kennett*) - put and agreed to.
And the House, at 2.31 p.m. adjourned until 3.30 p.m. this day.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 18 - Tuesday, 18 October 1994
(HALF-PAST THREE O'CLOCK)

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
Human Rights Protection - Seeking that the House moves to protect the Human Rights of its lesbian and gay constituents and citizens, as recommended by the Scrutiny of Acts and Regulations Committee, by amending the *Equal Opportunity Act 1984* to prohibit discrimination on the grounds of a person's sexuality, bearing 15 signatures (*by Mr Carli*)

Sodomy - Seeking that legislation be enacted to make the commission of sodomy a criminal offence, to prevent this serious health hazard from being promoted in the media and educational institutions as a valid form of sexual intercourse, bearing 21 signatures (by Mr Thompson, Sandringham).

Severally ordered to lie on the Table.

- 4 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 10 of 1994, on the -

Emergency Management (Amendment) Bill
 Road Safety (Further Amendment) Bill
 Local Government (Amendment) Bill
 Estate Agents (Amendment) Bill
 Impounding of Livestock Bill
 Transport Accident (General Amendment) Bill
 Therapeutic Goods (Victoria) Bill
 Valuation of Land (Amendment) Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

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

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

Ballaarat (City) Planning Scheme - No. L46
 Brighton Planning Scheme - No. L24
 Colac-Otway Shire Planning Scheme - Amalgamation Amendment
 Corangamite Shire Planning Scheme - Amalgamation Amendment
 Daylesford and Glenlyon Planning Scheme - No. L10
 Flinders Planning Scheme - No. L104
 Frankston Planning Scheme - No. L18
 Lillydale Planning Scheme - Nos. L134, L144
 Melbourne Metropolitan Planning Scheme - No. R123
 Melbourne Planning Scheme - No. L172
 Prahran Planning Scheme - No. L30 Part 2
 Springvale Planning Scheme - No. L63
 Stawell (City) Planning Scheme - No. L26
 Wodonga Planning Scheme - No. L65

Statutory Rules under the following Acts:

Electricity Industry Act 1993 - S.R. No. 156
 Food Act 1984 - S.R. No. 152
 Marine Act 1988 -

S.R. No. 153, together with a copy of the following document as required by section 32 of the Interpretation of Legislation Act 1984 to accompany the Statutory Rule:

Australian Standard - AS 2261 - 1990 - Rescue Buoys

S.R. Nos. 154, 155

Melbourne and Metropolitan Board of Works Act 1958 - S.R. No. 158
Optometrists Registration Act 1958 - S.R. No. 157
State Electricity Commission Act 1958 - S.R. Nos. 148, 149, 150, 151.

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

Margarine (Repeal) Bill
Agriculture (Registered Occupations) Bill.

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

Emergency Management (Amendment) Bill
Local Government (Amendment) Bill
Valuation of Land (Amendment) Bill.

- 8 **PARLIAMENTARY COMMITTEES** - Motion made, by leave, and question -

- (a) That Dr Coghill, Mr Dollis, Mr McGrath (*Warrnambool*), Mrs Peulich and Mr Weideman be members of the House Committee; and that the Committee have leave to sit on days on which the House does not meet.
- (b) That Mr Speaker, Mr Baker, Mr Batchelor, Mrs Peulich and Mr Treasure be members of the Library Committee; and that the Committee have leave to sit on days on which the House does not meet.
- (c) That Mr Speaker, Dr Coghill, Mr Maughan and Mr Richardson be members of the Printing Committee; and that the Committee have leave to sit on days on which the House does not meet.
- (d) That a Select Committee be appointed to inquire into and report upon complaints of breach of privilege referred to it by the House; such Committee to consist of Mr Cooper, Mr Micallef, Mr Perton, Mr Ryan, Mr Sheehan, Mr Smith (*Glen Waverley*), Mr Thomson (*Pascoe Vale*), Mr Thwaites and Mr Weideman; and that the Committee have power to send for persons, papers and records; to sit on days on which the House does not meet and to move from place to place; four to be the quorum.
- (e) That a Select Committee be appointed to consider and report upon the Standing Orders of the House, such Committee to consist of Mr Speaker, Dr Coghill, Mr Cunningham, Mr Jasper, Mr Leigh, Mr Richardson and Mr Seitz; and that the Committee have leave to sit on days on which the House does not meet; five to be the quorum.

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

- 9 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Friday, 21 October 1994:

Financial Management (Amendment) Bill
Lotteries Gaming and Betting (Betting) Bill
Intellectually Disabled Persons' Services (Amendment) Bill
Property Law (Amendment) Bill
Dentists (Amendment) Bill

Emerald Tourist Railway (Amendment) Bill
 Royal Agricultural Show-grounds (Amendment) Bill
 Road Safety (Further Amendment) Bill
 Therapeutic Goods (Victoria) Bill

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

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

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

Pursuant to Sessional Orders, Mr Smith (*Polwarth*) announced that it was proposed to move amendments in Committee 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 10.00 p.m.
 pursuant to Sessional Orders.*

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

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

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

Ordered - That the debate be adjourned until tomorrow.

12 **LAND (MISCELLANEOUS MATTERS) AND NATIONAL TENNIS CENTRE (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).

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

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

Ordered - That the debate be adjourned until Tuesday, 1 November 1994.

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

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

And the House, at 11.13 p.m., adjourned until tomorrow.

J.G. LITTLE
 Clerk of the Legislative Assembly

JOHN E. DELZOPPO
 Speaker

No. 19 - Wednesday, 19 October 1994

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

Sodomy - Seeking that legislation be enacted to make the commission of sodomy a criminal offence, to prevent this serious health hazard from being promoted in the media and educational institutions as a valid form of sexual intercourse, bearing 34 signatures (*by Mr Turner*).

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

Film Victoria - Report for the year 1993-94
Geelong Performing Arts Centre Trust - Report for the year 1993-94
Museum of Victoria Council - Report for the year 1993-94
National Gallery of Victoria - Report for the year 1993-94
State Film Centre of Victoria Council - Report for the year 1993-94
Victorian Arts Centre Trust - Report for the year 1993-94.
- 4 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Australian Grand Prix Bill without amendment.
- 5 **LOCAL GOVERNMENT REFORM** - Motion made and question proposed - That this House congratulates the Government on its initiatives to support and reform local government and contrasts this with the abject failure of the Labor Government in Victoria between 1982 and 1992 to strengthen the State's local government system (*Mr Cooper*) - and, after debate -

*General Business having been interrupted at 2.00 p.m.
pursuant to Sessional Orders.*
- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 7 **BORROWING AND INVESTMENT POWERS (PUBLIC TRANSPORT CORPORATION) BILL** - Mr Stockdale, after debate, obtained leave with Mr Smith (*Polwarth*), to bring in a Bill "to make further provision for borrowing and investment powers of the Public Transport Corporation, to amend the 'Borrowing and Investment Powers Act 1987' and the 'Transport Act 1983' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **CRIMES (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr McNamara, to bring in a Bill "to amend the 'Crimes Act 1958', the 'Bail Act 1977' and the 'Crimes (Family Violence) Act 1987' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 **CROWN LANDS ACTS (AMENDMENT) BILL** - Mr Coleman, after debate, obtained leave with Mr Gude, to bring in a Bill "to amend the 'Land Act 1958', the 'Crown Land (Reserves) Act 1978', the 'Conservation, Forests and Lands Act 1987' and the 'Forests Act 1958' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **VICTORIAN PLANTATIONS CORPORATION (AMENDMENT) BILL** - Mr Coleman, after debate, obtained leave with Mr Reynolds, to bring in a Bill "to amend the 'Victorian Plantations Corporation Act 1993' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **LOTTERIES GAMING AND BETTING (BETTING) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 13 **INTELLECTUALLY DISABLED PERSONS' SERVICES (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
Pursuant to Sessional Orders, Mr John announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
Debate resumed on question - That this Bill be now read a second time.
*Business having been interrupted at 10.00 p.m.
pursuant to Sessional Orders.*
- 14 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.59 p.m.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 20 - Thursday, 20 October 1994

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PARLIAMENTARY DEPARTMENTS' REPORTS** - Motion made, by leave, and question - That there be presented to this House a copy of the Reports of the Department of the Legislative Assembly, Department of the Parliament Library and Department of the Reporting Staff of the Victorian Parliamentary Debates, for the year 1993-94 (*Mr McGrath, Warrnambool*) - put and agreed to.

3 **PAPERS** - Mr McGrath (*Warrnambool*) presented:

Reports of the Department of the Legislative Assembly, Department of the Parliament Library and Department of the Reporting Staff of the Victorian Parliamentary Debates, for the year 1993-94 - Return to the foregoing Order.

Severally Ordered to lie on the Table.

4 **PAPERS** -

Mr Speaker presented:

Finance 1993-94 - Statement of the Receipts and Payments of the Consolidated Fund and Trust Fund for the year ended 30 June 1994 accompanied by the Report of the Auditor-General, and by the documents specified in the forty-seventh section of the Audit Act.

Ordered to lie on the Table and to be printed.

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

Docklands Authority - Report for the year 1993-94

Members of Parliament (Register of Interests) Act 1978 - Cumulative Summary of Returns, September 1994 - Ordered to be printed.

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

6 **BUSINESS FRANCHISE ACTS (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Smith (*Polwarth*), to bring in a Bill "to amend the Business Franchise Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

7 **PROPERTY LAW (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

8 **DENTISTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

9 **THERAPEUTIC GOODS (VICTORIA) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

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

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

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

- 10 **ROYAL AGRICULTURAL SHOW-GROUNDS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
Mr Speaker ruled the Bill to be a Private Bill.
Motion made and question - That this Bill be treated as a Public Bill and that fees be dispensed with (*Mr McGrath, Wimmera*) - put and agreed to.
Debate resumed on question - That this Bill be now read a second time.
- Business having been interrupted at 2.00 p.m.
pursuant to Sessional Orders.*
- 11 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 12 **ROYAL AGRICULTURAL SHOW-GROUNDS (AMENDMENT) BILL** - Debate continued on question - That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported without amendment; read a third time.
Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Appropriation (1994-95, No. 1) Bill without amendment.
- 14 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 5 to 14 inclusive, be postponed until later this day.
- 15 **CRIMES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 3 November 1994.
- 16 **CROWN LANDS ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
Mr Coleman made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.
Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
Ordered - That the debate be adjourned until Tuesday, 1 November 1994.
- 17 **VICTORIAN PLANTATIONS CORPORATION (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
Mr Coleman made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.
Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
Ordered - That the debate be adjourned until Tuesday, 1 November 1994.
- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Appropriation (Parliament 1994-95, No. 1) Bill without amendment.

- 19 **ROAD SAFETY (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 **EMERALD TOURIST RAILWAY (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 10.00 p.m.
pursuant to Sessional Orders.*
- 21 **ADJOURNMENT** - Mr Speaker, having announced that the time for adjournment of the House had arrived, left the Chair, after debate, at 10.50 p.m.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 21 - Friday, 21 October 1994

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Human Rights Protection** - Seeking that the House moves to protect the Human Rights of its lesbian and gay constituents and citizens, as recommended by the Scrutiny of Acts and Regulations Committee, by amending the *Equal Opportunity Act 1984* to prohibit discrimination on the grounds of a person's sexuality, bearing 27 and 60 signatures (*by Dr Dean and Mr Thompson, Sandringham, respectively*)
- Williamstown Planning Scheme** - Seeking that Rezoning Amendment L25 - Williamstown Planning Scheme be refused and the land be rezoned primarily for housing, bearing 6,724 signatures (*by Mr Bracks*).
- Severally ordered to lie on the Table.
- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Environment Protection Authority - Report for the year 1993-94
 - Equal Opportunity Board - Report for the year 1993-94
 - Equal Opportunity Commission - Report for the year 1993-94
 - Ethnic Affairs Commission - Report for the year 1993-94
 - Murray-Darling Basin Commission - Report for the year 1993-94
 - Victorian Conservation Trust - Report for the year 1993-94
 - Zoological Board of Victoria - Report for the year 1993-94.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 6 September 1994:

Magistrates' Court (Amendment) Act 1994 - Whole Act (except sections 1, 2 and 27(5)) on 24 October 1994 (*Gazette No. G42, 20 October 1994*)

Public Records Act 1973 - Section 5 on 18 October 1994 (*Gazette No. G42, 20 October 1994*).

- 4 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
 - Corrections (Amendment) Bill
 - Land (Miscellaneous Matters) and National Tennis Centre (Amendment) Bill.
- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 8 November 1994 (*Mr Gude*) - put and agreed to.
- 6 **PROSTITUTION CONTROL BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "to reform the law relating to prostitution, to repeal the *'Prostitution Regulation Act 1986'* and the *'Town and Country Planning (Miscellaneous Provisions) Act 1961'*, to amend the *'Crimes Act 1958'*, the *'Evidence Act 1958'* and the *'Travel Agents Act 1986'* and make consequential amendments to certain other Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and, by leave, read a second time later this day.
- 7 **EMERALD TOURIST RAILWAY (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
 Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 8 **INTELLECTUALLY DISABLED PERSONS' SERVICES (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 9 **FINANCIAL MANAGEMENT (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 10 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos 4 and 5 be postponed until later this day.

- 11 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Order read for resuming debate on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 20 *ante*) - *and on the amendment* - That the following words be added to the proposed Address "but is of the view that loyalty should be expressed to the Constitution and people of the State of Victoria within the Commonwealth and calls on the Government to respect and restore the responsibility and accountability of government to the Parliament and to introduce policies to meet the needs and desires of the people of Victoria"; debate resumed.

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

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

- 13 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Debate continued on question - That the following Address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 20 *ante*) - *and on the amendment* - That the following words be added to the proposed Address "but is of the view that loyalty should be expressed to the Constitution and people of the State of Victoria within the Commonwealth and calls on the Government to respect and restore the responsibility and accountability of government to the Parliament and to introduce policies to meet the needs and desires of the people of Victoria".

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

Ordered - That the debate be adjourned until tomorrow.

- 14 **PROSTITUTION CONTROL BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).

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

Ordered - That the debate be adjourned until Friday, 4 November 1994.

- 15 **BUSINESS FRANCHISE ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).

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

Ordered - That the debate be adjourned until Friday, 4 November 1994.

- 16 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos 7 to 10 inclusive, be postponed until later this day.

- 17 **BORROWING AND INVESTMENT POWERS (PUBLIC TRANSPORT CORPORATION) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).

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

Ordered - That the debate be adjourned until Friday, 4 November 1994.

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

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

And the House, at 4.28 p.m., adjourned until Tuesday, 8 November 1994.

J.G. LITTLE

Clerk of the Legislative Assembly

JOHN E. DELZOPPO

Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 22, 23, 24 and 25

No. 22 - Tuesday, 8 November 1994

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **DEATH OF THE HONOURABLE SIR VERNON HOWARD COLVILLE CHRISTIE** - Motion made and question - That this House expresses its sincere sorrow at the death of the Honourable Sir Vernon Howard Colville Christie, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Ivanhoe from 1955 to 1973 and Speaker of the Legislative Assembly from 1967 to 1973. (*Mr Kennett*) - put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 3 **ADJOURNMENT** - Motion made and question - That, as a further mark of respect to the memory of the late Honourable Sir Vernon Howard Colville Christie, the House do now adjourn until 3.30 p.m. this day (*Mr Kennett*) - put and agreed to.

And the House, at 2.29 p.m. adjourned until 3.30 p.m. this day.

J.G. LITTLE

Clerk of the Legislative Assembly

JOHN E. DELZOPPO

Speaker

No. 23 - Tuesday, 8 November 1994

(HALF-PAST THREE O'CLOCK)

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
Fare Boundary - Aircraft Station - Seeking that Zone 1 Fare Boundary be extended to the west end of Aircraft Station to assist disadvantaged residents, both financially and physically, bearing 499 signatures (*by Ms Marple*).
Ordered to lie on the Table.
- 4 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up the following Reports from the Scrutiny of Acts and Regulations Committee:
First Report on Redundant and Unclear Legislation, together with an Appendix.

Report being the Alert Digest No. 11 of 1994 on the -

Como Project Bill
Liquor Control (Amendment) Bill (No. 2)
Health Services (Amendment) Bill
Corrections (Amendment) Bill

together with an Appendix.

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

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

Ambulance Officers' Training Centre - Report for the year 1993-94

Ambulance Service Victoria - Metropolitan Region - Report for the year 1993-94

Ambulance Service Victoria - North Eastern Region - Report for the year 1993-94

Ambulance Service Victoria - North Western Region - Report for the year 1993-94

Ambulance Service Victoria - South Eastern Region - Report for the year 1993-94

Ambulance Service Victoria - South Western Region - Report for the year 1993-94

Ambulance Service Victoria - Western Region - Report for the year 1993-94

Auditor-General's Office - Report for the year 1993-94

Casino (Management Agreement) Act 1993 - Authorized additions to Drawings of the Temporary Casino pursuant to section 16(2) (ten papers)

Constitution Act Amendment Act 1958 - Statement of a function conferred on the Electoral Commissioner, 18 October 1994

Crimes Compensation Tribunal - Report for the year 1993-94

Optometrists Registration Board - Report for the year 1993-94

Parliamentary Committees Act 1968 - Response from the Minister for Energy and Minerals on the action taken with respect to the recommendations made by the Environment and Natural Resources Committee on Eductor Dredging

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

Altona Planning Scheme - Nos. L37, L39

Arapiles Planning Scheme - No. L16

Bannockburn Planning Scheme - Nos. R12, R16

Barrabool Planning Scheme - No. R23

Bass Planning Scheme - No. L34

Beechworth Planning Scheme - No. L25

Box Hill Planning Scheme - No. L25

Bright Planning Scheme - No. L41

Broadmeadows Planning Scheme - No. RL159

Brunswick Planning Scheme - No. RL159

Buln Buln Planning Scheme - No. L35

Castlemaine Planning Scheme - No. L10

Caulfield Planning Scheme - No. L25

Coburg Planning Scheme - No. RL159

Collingwood Planning Scheme - Nos. L15, L25, RL159

Cranbourne Planning Scheme - No. L92

Croydon Planning Scheme - No. L55

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- Diamond Valley Planning Scheme - No. L33
 - Eltham Planning Scheme - No. L36 Part 3
 - Fitzroy Planning Scheme - No. RL159
 - Greater Bendigo Planning Scheme - No. L15
 - Greater Geelong Planning Scheme - Nos. L82, L96, R11, R59, R64, R75 Part 1, R85, RL50
 - Hastings Planning Scheme - No. L87
 - Heidelberg Planning Scheme - No. RL159
 - Horsham Planning Scheme - No. L47
 - Keilor Planning Scheme - Nos. L71, L73
 - Kilmore Planning Scheme - Nos. L74, L76, L77
 - Knox Planning Scheme - Nos. L81, L83
 - Melbourne Planning Scheme - No. L143
 - Melton Planning Scheme - Nos. L34, L48
 - Newham and Woodend Planning Scheme - No. L30
 - Northcote Planning Scheme - Nos. L32, RL159
 - Nunawading Planning Scheme - Nos. L66, L73
 - Omeo Planning Scheme - No. L9
 - Pakenham Planning Scheme - No. L88
 - Port Melbourne Planning Scheme - Nos. L14, L15
 - Portland Planning Scheme - No. L37
 - Prahran Planning Scheme - Nos. L40, L42, L50
 - Preston Planning Scheme - No. RL159
 - Queenscliffe Planning Scheme - No. RL12
 - Richmond Planning Scheme - Nos. L31, L32
 - Ringwood Planning Scheme - No. L33
 - Rochester Planning Scheme - No. L11
 - Romsey Planning Scheme - No. L32
 - Rosedale Planning Scheme - Nos. L40, L42
 - Sherbrooke Planning Scheme - No. L80
 - South Melbourne Planning Scheme - Nos. L78, L83, L86, L90, L91
 - Springvale Planning Scheme - Nos. L28 Part 1, L70, L73
 - St Kilda Planning Scheme - No. L33
 - Stawell (City) Planning Scheme - No. L27
 - Traralgon (Shire) Planning Scheme - No. L46
 - Warracknabeal Planning Scheme - No. L6
 - Warrnambool City Planning Scheme - No. L55
 - Whittlesea Planning Scheme - Nos. L106, L112, RL159
- Recycling and Resource Recovery Council - Report for the year 1993-94
- Sport, Recreation and Racing Division - Report for the year 1993-94
- State Insurance Office - Report for the year 1993-94
- Statutory Rules under the following Acts:
- Casino Control Act 1991 - S.R. No. 159
 - Cemeteries Act 1958 - S.R. No. 162
 - Health Act 1958 - S.R. No. 161
 - Tobacco Act 1987 - S.R. No. 160
 - Weights and Measures Act 1958 - S.R. No. 163
- Transport Act 1983 - Order for Transfer of Assets and Liabilities pursuant to section 81
- Victorian Casino Control Authority - Report for the period ended 2 June 1994
- Victorian Institute of Forensic Pathology - Report for the year 1993-94.

The following proclamation fixing an operative date was laid upon the Table by the Clerk pursuant to an Order of the House dated 6 September 1994:

Australian Grand Prix Act 1994 - Parts 2, 3, 4 and 5 on 28 October 1994 (*Gazette No. G43, 27 October 1994*).

- 6 **APPROPRIATION (1994-95, No. 1) BILL - APPROPRIATION (PARLIAMENT 1994-95, No. 1) BILL** - Mr Speaker announced that Mr Acting Speaker had, on 25 October, 1994, presented to His Excellency the Administrator the Appropriation (1994-95, No. 1) Bill and the Appropriation (Parliament 1994-95, No. 1) Bill to which His Excellency had been pleased to give the Royal Assent.
- 7 **MESSAGE FROM HIS EXCELLENCY THE ADMINISTRATOR - ASSENT TO BILLS -** Informing the Assembly that he had, on 25 October, 1994, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Australian Grand Prix Bill
 - Dentists (Amendment) Bill
 - Emerald Tourist Railway (Amendment) Bill
 - Property Law (Amendment) Bill
 - Royal Agricultural Show-grounds (Amendment) Bill.
- 8 **MESSAGES FROM HIS EXCELLENCY THE ADMINISTRATOR** - Mr Speaker announced the presentation of Messages from His Excellency the Administrator recommending appropriations for the purposes of the following Bills:
- Borrowing and Investment Powers (Public Transport Corporation) Bill
 - Business Franchise Acts (Amendment) Bill
 - Como Project Bill
 - Crown Lands Acts (Amendment) Bill
 - Prostitution Control Bill
 - Victorian Plantations Corporation (Amendment) Bill.
- 9 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.30 p.m. on Thursday, 10 November 1994:
- Liquor Control (Amendment) Bill (No. 2)
 - Business Franchise Acts (Amendment) Bill
 - Estate Agents (Amendment) Bill
 - Transport Accident (General Amendment) Bill
 - Borrowing and Investment Powers (Public Transport Corporation) Bill
 - Health Services (Amendment) Bill
 - Valuation of Land (Amendment) Bill
 - Como Project Bill
 - Employee Relations (Amendment) Bill
- (*Mr Gude*) - after debate, put.

The House divided.

AYES, 57

Mr Ashley	Mr John	Mr Perton	Mr Stockdale
Mr Bildstien	Mr Kennett	Mr Pescott	Mr Tanner
Mr Brown	Mr Kilgour	Mrs Peulich	Mrs Tehan
Mr Clark	Mr Leigh	Mr Phillips	Mr Thompson
Mr Coleman	Mr Lupton	Mr Plowman	(<i>Sandringham</i>)
Mr Cooper	Mrs McGill	(<i>Benambra</i>)	Mr Traynor
Dr Dean	Mr McGrath	Mr Plowman	Mr Treasure
Mr Doyle	(<i>Warrnambool</i>)	(<i>Evelyn</i>)	Mr Turner
Mr Elder	Mr McGrath	Mr Reynolds	Mrs Wade
Mrs Elliott	(<i>Wimmera</i>)	Mr Richardson	Mr Weideman
Mr Gude	Mr McLellan	Mr Rowe	
Mr Hayward	(<i>Frankston East</i>)	Mr Ryan	
Mr Heffernan	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(<i>Glen Waverley</i>)	
Mr Honeywood	(<i>Pakenham</i>)	Mr Smith	
Mr Hyams	Mr Maughan	(<i>Polwarth</i>)	<i>Tellers</i>
Mr Jasper	Mr Paterson	Mr Spry	Mr Finn
Mr Jenkins	Mr Perrin	Mr Steggall	Mr Wells

NOES, 26

Mr Andrianopoulos	Ms Garbutt	Mr Pandazopoulos	Mrs Wilson
Mr Baker	Mr Haermeyer	Mr Sandon	
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Brumby	Mr Leighton	Mr Sercombe	
Dr Coghill	Mr Loney	Mr Thomson	
Mr Cole	Ms Marple	(<i>Pascoe Vale</i>)	<i>Tellers</i>
Mr Cunningham	Mr Micallef	Mr Thwaites	Mr Bracks
Mr Dollis	Mr Mildenhall	Dr Vaughan	Mr Carli

And so it was resolved in the affirmative.

- 10 LIQUOR CONTROL (AMENDMENT) BILL (No.2) - Order read for resuming debate on question - That this bill be now read a second time; debate resumed.

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to provide for an appeal procedure against the assessment of fees under the Act." (*Mr Loney*) - and, after debate -

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

The House divided.

AYES, 53

Mr Ashley	Mr John	Mr Perton	Mr Spry
Mr Bildstien	Mr Kennett	Mr Pescott	Mr Steggall
Mr Brown	Mr Kilgour	Mrs Peulich	Mr Stockdale
Mr Clark	Mr Leigh	Mr Phillips	Mr Tanner
Mr Coleman	Mr Lupton	Mr Plowman	Mr Thompson
Mr Cooper	Mrs McGill	(Benambra)	(Sandringham)
Mr Davis	Mr McGrath	Mr Plowman	Mr Traynor
Mr Elder	(Warrnambool)	(Evelyn)	Mr Turner
Mrs Elliott	Mr McGrath	Mr Reynolds	Mrs Wade
Mr Finn	(Wimmera)	Mr Richardson	Mr Weideman
Mr Hayward	Mr McLellan	Mr Rowe	Mr Wells
Mr Heffernan	(Frankston East)	Mr Ryan	
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maughan	(Glen Waverley)	Tellers
Mr Jasper	Mr Paterson	Mr Smith	Mr Doyle
Mr Jenkins	Mr Perrin	(Polwarth)	Mr Treasure

NOES, 23

Mr Andrianopoulos	Ms Garbutt	Mr Pandazopoulos	
Mr Baker	Mr Haermeyer	Mr Sandon	
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Brumby	Mr Leighton	Mr Sercombe	
Dr Coghill	Mr Loney	Mr Thwaites	Tellers
Mr Cole	Ms Marple	Dr Vaughan	Mr Bracks
Mr Dollis	Mr Mildenhall	Mrs Wilson	Mr Cunningham

And so it was resolved in the affirmative.

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

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

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Transmitting a Bill for "An Act to provide for and regulate the impounding of livestock, to repeal the 'Pounds Act 1958', to amend 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".
- 12 **IMPOUNDING OF LIVESTOCK BILL** - On the motion of Mr Maclellan (*Pakenham*), the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **BUSINESS FRANCHISE ACTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 14 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos 3 and 4, be postponed until later this day.

- 15 **ESTATE AGENTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Debate resumed on question - That this Bill be now read a second time.
- Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the matter of pricing and regulation of the real estate industry with particular reference to residential property transactions has been referred to an all party Parliamentary Committee for inquiry, consideration and report." (*Mr Mildenhall*) - and, after debate -
- Business having been interrupted at 10.00 p.m.
pursuant to Sessional Orders.*
- 16 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.51 p.m.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 24 - Wednesday, 9 November 1994

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Leashing of Dogs** - Seeking that the section of the Domestic (Feral and Nuisance) Animals Bill pertaining to the leashing of dogs when outside the owners property be amended to stipulate that - (a) dogs may be permitted to be exercised off-lead, and under effective control in appropriate environments; and (b) councils be obliged to allocate areas where this may occur, bearing 10 signatures (*by Mr Tanner*)
- Mount Stirling** - Seeking that Mount Stirling be protected from mechanical gondola, ski lifts and associated infrastructure and that it be preserved for all time, bearing 15 signatures (*by Mr Tanner*)
- Proposed City of Monash** - Seeking that the proposed new City of Monash be named "Waverley" to ensure a historical connection with the settlement of the district and to avoid confusion with Monash University and the Monash Medical Centre, bearing 39 signatures (*by Mr Smith, Glen Waverley*).
- Severally ordered to lie on the Table.
- 3 **HOUSE COMMITTEE AND PRESIDING OFFICERS' REPORTS** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Department of the House Committee for the year 1993-94 and the Report of the Presiding Officers for the period October 1993 to September 1994 (*Mr McGrath, Warrnambool*) - put and agreed to.

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- 4 **PAPERS** - Mr McGrath (*Warrnambool*) presented:
 Report of the Department of the House Committee for the year 1993-94 and the Report of the Presiding Officers for the period October 1993 to September 1994 - Return to the foregoing Order.
 Severally ordered to lie on the Table.
- 5 **ROAD SAFETY COMMITTEE** - Mr Richardson, Chairman, brought up a Report from the Road Safety Committee upon the Demerit Points Scheme, together with Appendices and Minutes of Evidence.
 Ordered to lie on the Table and the Report and Appendices to be printed.
- 6 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 Intellectually Disabled Persons' Services Act 1986 - Report of the Community Visitors for the year 1993-94
 National Parks Act 1975 - Report of the Acting Director of National Parks for the year 1993-94.
- 7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Agricultural and Veterinary Chemicals (Victoria) Bill without amendment.
- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Transmitting a Bill for "*An Act to make miscellaneous amendments to the 'Melbourne University Act 1958', the 'Royal Melbourne Institute of Technology Act 1992' and the 'Victoria University of Technology Act 1990' and for other purposes*".
- 9 **UNIVERSITY ACTS (AMENDMENT) BILL** - On the motion of Mr Hayward, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **GRIEVANCES** - Question - That grievances be noted - put, after debate, and agreed to.
- 11 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 12 **CONSTITUTION (AMENDMENT) BILL** - Mr Kennett, after debate, obtained leave with Mr McNamara, to bring in a Bill "*to amend the 'Constitution Act 1975', the 'Interpretation of Legislation Act 1984' and 'The Constitution Act Amendment Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **LAND TITLES VALIDATION BILL** - Mr Kennett, after debate, obtained leave with Mr McNamara, to bring in a Bill "*to validate, in accordance with the 'Native Title Act 1993' of the Commonwealth, certain past acts, to make certain other provisions, to repeal the 'Land Titles Validation Act 1993' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **PUBLIC SECTOR MANAGEMENT (AMENDMENT) BILL** - Mr Kennett, after debate, obtained leave with Mr McNamara, to bring in a Bill "*to amend the 'Public Sector Management Act 1992' to improve the administration of that Act and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 15 **SUBORDINATE LEGISLATION BILL** - Mr Kennett obtained leave, with Mr McNamara, to bring in a Bill "to re-enact with amendments the law relating to subordinate legislation, to amend the 'Interpretation of Legislation Act 1984', to repeal the 'Subordinate Legislation Act 1962' and the 'Amendments Incorporation Act 1958', to make consequential amendments to certain Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **LAND TAX (AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr McNamara, to bring in a Bill "to amend the 'Land Tax Act 1958' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 **STATE TAXATION (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Smith (Polwarth), to bring in a Bill "to amend the 'Debits Tax Act 1990', the 'Financial Institutions Duty Act 1982', the 'Pay-roll Tax Act 1971', the 'Stamps Act 1958' and certain other Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 **PORTS ACTS (AMENDMENT) BILL** - Mr Stockdale, after debate, obtained leave with Mr Smith (Polwarth), to bring in a Bill "to amend the 'Port of Melbourne Authority Act 1958', the 'Port of Geelong Authority Act 1958', the 'Port of Portland Authority Act 1958', the 'Crown Land (Reserves) Act 1978' and the 'Marine Act 1988' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 **OFFICE OF THE REGULATOR-GENERAL (AMENDMENT) BILL** - Mr Smith (Polwarth), after debate, obtained leave with Mr Stockdale, to bring in a Bill "to amend the 'Office of the Regulator-General Act 1994' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 20 **SUPERANNUATION ACTS (FURTHER AMENDMENT) BILL** - Mr Smith (Polwarth), after debate, obtained leave with Mr Stockdale, to bring in a Bill "to amend the 'Emergency Services Superannuation Act 1986', the 'Hospitals Superannuation Act 1988', the 'Local Authorities Superannuation Act 1988', the 'Parliamentary Salaries and Superannuation Act 1968', the 'Police Regulation Act 1958', the 'Public Sector Superannuation (Administration) Act 1993', the 'State Casual Employees Superannuation Act 1989', the 'State Employees Retirement Benefits Act 1979', the 'State Superannuation Act 1988', the 'Superannuation (Portability) Act 1989', the 'Teaching Service Act 1981' and the 'Transport Superannuation Act 1988' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 21 **COURTS (GENERAL AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr McNamara, to bring in a Bill "to amend the 'Jurisdiction of Courts (Cross-vesting) Act 1987', the 'Supreme Court Act 1986', the 'County Court Act 1958', the 'Magistrates' Court Act 1989' and certain other Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 22 **CONSTITUTION (COURT OF APPEAL) BILL** - Mrs Wade, after debate, obtained leave with Mr McNamara, to bring in a Bill "relating to the Supreme Court of Victoria, to amend the 'Constitution Act 1975', the 'Supreme Court Act 1986' and certain other Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 23 **CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr McNamara, to bring in a Bill "*to amend the 'Classification of Films and Publications Act 1990' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 24 **QUEEN VICTORIA WOMEN'S CENTRE BILL** - Mrs Wade obtained leave, with Mr McNamara, to bring in a Bill "*to establish the Queen Victoria Women's Centre Trust to own and manage a women's centre and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 25 **GAMING AND BETTING (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Reynolds, to bring in a Bill "*to amend the 'Gaming and Betting Act 1994', the 'Gaming Machine Control Act 1991', the 'Club Keno Act 1993', the 'Casino Control Act 1991' and the 'Racing Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 26 **FIRE AUTHORITIES (MISCELLANEOUS AMENDMENTS) BILL** - Mr McNamara, after debate, obtained leave with Mrs Wade, to bring in a Bill "*to amend the 'Country Fire Authority Act 1958', the 'Metropolitan Fire Brigades Act 1958', the 'Fire Authorities (Contributions) Act 1989' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 27 **VICTORIAN ARTS CENTRE (AMENDMENT) BILL** - Mr McNamara, after debate, obtained leave with Mrs Wade, to bring in a Bill "*to amend the 'Victorian Arts Centre Act 1979' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 28 **VOCATIONAL EDUCATION AND TRAINING (STATE TRAINING WAGE) BILL** - Mr Hayward, after debate, obtained leave with Mr McNamara, to bring in a Bill "*to amend the 'Vocational Education and Training Act 1990' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 29 **MELBOURNE SPORTS AND AQUATIC CENTRE BILL** - Mr Reynolds, after debate, obtained leave with Mr Stockdale, to bring in a Bill "*to establish a Melbourne Sports and Aquatic Centre Trust to administer a Melbourne Sports and Aquatic Centre, and to provide for the use of certain Albert Park land and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 30 **LOTTERIES GAMING AND BETTING (GENERAL AMENDMENT) BILL** - Mr Reynolds, after debate, obtained leave with Mr Stockdale, to bring in a Bill "*to reform the regulation of minor gambling, to amend the 'Lotteries Gaming and Betting Act 1966' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 31 **TRANSPORT ACCIDENT (GENERAL AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Pursuant to Sessional Orders, Mr Stockdale announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

Debate continued on the question - That this Bill be now read a second time. Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.

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

32 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Lotteries Gaming and Betting (Betting) Bill without amendment.

33 **BORROWING AND INVESTMENT POWERS (PUBLIC TRANSPORT CORPORATION) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

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

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words 'this House refuses to read this Bill a second time until the Government establishes appropriate and transparent guidelines for the contracting out of essential services, particularly in relation to what should be considered "Commercial in confidence", what degree of transparency and disclosure is required by tenderers or bidders for public sector work and the process by which contracts should be renewed (so as not to unfairly favour the incumbent contract holder).' (*Mr Brumby*) - and, after debate.

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

The House divided.

AYES, 41

Mr Ashley	Mr Hyams	Mr Perrin	Mr Thompson
Mr Bildstien	Mr Jasper	Mrs Peulich	(<i>Sandringham</i>)
Mr Brown	Mr Jenkins	Mr Phillips	Mr Traynor
Mr Cooper	Mr Kilgour	Mr Reynolds	Mr Treasure
Mr Davis	Mr Lupton	Mr Richardson	Mr Weideman
Dr Dean	Mr McArthur	Mr Rowe	Mr Wells
Mr Doyle	Mrs McGill	Mr Ryan	
Mr Elder	Mr McLellan	Mr Smith	
Mrs Elliott	(<i>Frankston East</i>)	(<i>Polwarth</i>)	Tellers
Mr Hayward	Mr Maughan	Mr Spry	Mr Finn
Mr Heffernan	Dr Napthine	Mr Steggall	Mr Plowman
Mrs Henderson	Mr Paterson	Mrs Tehan	(<i>Benambra</i>)

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Pandazopoulos	
Mr Baker	Mr Haermeyer	Mr Sandon	
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Brumby	Mr Leighton	Mr Sercombe	
Dr Coghill	Mr Loney	Mr Thomson	
Mr Cole	Ms Marple	(<i>Pascoe Vale</i>)	Tellers
Mr Cunningham	Mr Micallef	Mr Thwaites	Mr Bracks
Mr Dollis	Mr Mildenhall	Mrs Wilson	Mr Carli

And so it was resolved in the affirmative.

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

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

- 34 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Domestic (Feral and Nuisance) Animals Bill with amendments.

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

- 35 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Therapeutic Goods (Victoria) Bill without amendment.

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

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

- 37 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.47 p.m.

J.G. LITTLE

Clerk of the Legislative Assembly

JOHN E. DELZOPPO

Speaker

No. 25 - Thursday, 10 November 1994

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

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

Human Rights Protection - Seeking that the House moves to protect the Human Rights of its lesbian and gay constituents and citizens, as recommended by the Scrutiny of Acts and Regulations Committee, by amending the *Equal Opportunity Act 1984* to prohibit discrimination on the grounds of a person's sexuality, bearing 30 and 45 signatures (*by Mr Tanner and Mr Perton, respectively*).

Severally ordered to lie on the Table.

- 3 **VISTEL LTD** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of Vistel Ltd for the year 1993-94 (*Mr Smith, Polwarth*) - put and agreed to.

- 4 **PAPER** - Mr Smith (*Polwarth*) presented:

Vistel Ltd - Report for the year 1993-94 - Return to the foregoing Order.

Ordered to lie on the Table.

- 5 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 12 of 1994, on the Employee Relations (Amendment) Bill, together with an Appendix and Transcript of Evidence.

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

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

Planning and Development Department - Report for the year 1993-94

Statutory Rules under the following Acts:

Alpine Resorts Act 1983 - S.R. No. 166

Health Act 1958 - S.R. No.169

Melbourne and Metropolitan Board of Works Act 1958 - S.R. No.164

National Tennis Centre Act 1985 - S.R. No. 168

Water Act 1989 - S.R. No. 167.

- 7 **GAS INDUSTRY BILL** - Mr Plowman (*Evelyn*), after debate, obtained leave with Mr Smith (*Polwarth*), to bring in a Bill "*to restructure the gas industry, to amend the 'Gas and Fuel Corporation Act 1958' and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 8 **ELECTRICITY INDUSTRY (FURTHER AMENDMENT) BILL** - Mr Plowman (*Evelyn*), after debate, obtained leave with Mr Stockdale, to bring in a Bill "*relating to further restructuring of the electricity industry, to make further amendments to the 'Electricity Industry Act 1993', to amend the 'Financial Management Act 1994' and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 **JUDICIAL REMUNERATION TRIBUNAL BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill "*to establish a tribunal in relation to the salary and allowances of Judges of the Supreme Court, Judges of the County Court, Magistrates and the holders of certain other offices, to amend the 'Constitution Act 1975', the 'Supreme Court Act 1986', the 'County Court Act 1958', the 'Magistrates' Court Act 1989' and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 **CASINO (MANAGEMENT AGREEMENT) (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill "*to ratify a Deed of Variation to the Management Agreement for the Melbourne Casino Project, to amend the 'Casino (Management Agreement) Act 1993' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 11 **PROJECT DEVELOPMENT AND CONSTRUCTION MANAGEMENT BILL** - Mr Maclellan (*Pakenham*), after debate, obtained leave with Mr Gude, to bring in a Bill "*to facilitate certain development projects in Victoria, to provide for the setting of standards and the issuing of directions in relation to public construction, to establish the Secretary to the Department of Planning and Development as a body corporate, to provide for the transfer of certain matters from the Urban Land Authority to the Secretary to the Department of Planning and Development, to amend the 'Bayside Project Act 1988', to repeal the 'Public Lands and Works Act 1964', and to make consequential amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 12 **PLANNING AUTHORITIES REPEAL BILL** - Mr Maclellan (*Pakenham*), after debate, obtained leave with Mr Gude, to bring in a Bill "to provide for the winding up of the Loddon-Campaspe Regional Planning Authority and the Upper Yarra Valley and Dandenong Ranges Authority, to repeal the 'Loddon-Campaspe Regional Planning Authority Act 1987' and the 'Upper Yarra Valley and Dandenong Ranges Authority Act 1976' and to amend the 'Planning and Environment Act 1987' to provide for the continuation of the approved regional strategy plan made under the 'Upper Yarra Valley and Dandenong Ranges Authority Act 1976' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **WATER INDUSTRY BILL** - Mr Stockdale, after debate, obtained leave with Mr Coleman, to bring in a Bill "to provide for the reform of the water industry, to amend the 'Melbourne and Metropolitan Board of Works Act 1958', the 'Water Act 1989', the 'Melbourne Water Corporation Act 1992' and certain other Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **LIVESTOCK DISEASE CONTROL BILL** - Mr McGrath (*Wimmera*) obtained leave, with Mr Gude, to bring in a Bill "to provide for the monitoring and control of livestock diseases and to provide compensation for losses caused by certain livestock diseases, to repeal the 'Bees Act 1971', the 'Cattle Compensation Act 1967', the 'Stock (Artificial Breeding) Act 1962', the 'Stock Diseases Act 1968' and the 'Swine Compensation Act 1967', to amend the 'Stamps Act 1958' and to make consequential amendments to various Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **MELBOURNE CITY LINK AUTHORITY BILL** - Mr Brown, after debate, obtained leave with Mr Gude, to bring in a Bill "to establish a body corporate to be known as the Melbourne City Link Authority, to amend the 'Borrowing and Investment Powers Act 1987' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **VALUATION OF LAND (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
 Pursuant to Sessional Orders, Mr Smith (*Polwarth*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
 Debate resumed on question - That this Bill be now read a second time.
 Motion made and question - That the debate be now adjourned (*Mr Thomson, Pascoe Vale*) - put and agreed to.
 Ordered - That the debate be adjourned until later this day.
- 17 **COMO PROJECT BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 **EMPLOYEE RELATIONS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
 Pursuant to Sessional Orders, Mr Smith (*Polwarth*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

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

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

20 **EMPLOYEE RELATIONS (AMENDMENT) BILL** - Debate continued on question - That this Bill be now read a second time.

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 8 November 1994 had expired.

Question - put.

The House divided.

AYES, 58

Mr Ashley	Mr Jasper	Dr Napthine	Mr Steggall
Mr Bildstien	Mr Jenkins	Mr Paterson	Mr Stockdale
Mr Brown	Mr John	Mr Perrin	Mr Tanner
Mr Clark	Mr Kennett	Mr Perton	Mrs Tehan
Mr Coleman	Mr Kilgour	Mr Pescott	Mr Thompson
Mr Cooper	Mr Leigh	Mrs Peulich	(Sandringham)
Mr Davis	Mr McArthur	Mr Phillips	Mr Treasure
Dr Dean	Mrs McGill	Mr Plowman	Mr Turner
Mr Doyle	Mr McGrath	(Benambra)	Mrs Wade
Mr Elder	(Warrnambool)	Mr Plowman	Mr Weideman
Mrs Elliott	Mr McGrath	(Evelyn)	Mr Wells
Mr Finn	(Wimmera)	Mr Reynolds	
Mr Gude	Mr McLellan	Mr Richardson	
Mr Hayward	(Frankston East)	Mr Smith	
Mr Heffernan	Mr McNamara	(Glen Waverley)	
Mrs Henderson	Mr MacLellan	Mr Smith	Tellers
Mr Honeywood	(Pakenham)	(Polwarth)	Mr Rowe
Mr Hyams	Mr Maughan	Mr Spry	Mr Traynor

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Haermeyer	Mr Pandazopoulos	Dr Vaughan
Mr Batchelor	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Seitz	
Mr Cole	Mr Loney	Mr Sercombe	Tellers
Mr Cunningham	Ms Marple	Mr Thomson	Mr Bracks
Mr Dollis	Mr Micallef	(Pascoe Vale)	Mr Carli

And so it was resolved in the affirmative.

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

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

- 21 VALUATION OF LAND (AMENDMENT) BILL - Order read for resuming debate on question - That this Bill be now read a second time.

Question - That this Bill be now read a second time, Government amendments 1 to 4 be agreed to, the Bill be now read a third time and be transmitted to the Legislative Council and their concurrence desired therein - put.

The House divided.

AYES, 58

Mr Ashley	Mr Jenkins	Mr Perrin	Mr Stockdale
Mr Bildstien	Mr John	Mr Perton	Mr Tanner
Mr Brown	Mr Kennett	Mr Pescott	Mrs Tehan
Mr Clark	Mr Kilgour	Mrs Peulich	Mr Thompson
Mr Coleman	Mr Leigh	Mr Phillips	(Sandringham)
Mr Cooper	Mr McArthur	Mr Plowman	Mr Traynor
Dr Dean	Mrs McGill	(Benambra)	Mr Treasure
Mr Doyle	Mr McGrath	Mr Plowman	Mr Turner
Mr Elder	(Warrnambool)	(Evelyn)	Mrs Wade
Mrs Elliott	Mr McGrath	Mr Reynolds	Mr Weideman
Mr Finn	(Wimmera)	Mr Richardson	Mr Wells
Mr Gude	Mr McLellan	Mr Rowe	
Mr Hayward	(Frankston East)	Mr Smith	
Mr Heffernan	Mr McNamara	(Glen Waverley)	
Mrs Henderson	Mr Maclellan	Mr Smith	
Mr Honeywood	(Pakenham)	(Polwarth)	Tellers
Mr Hyams	Mr Maughan	Mr Spry	Mr Davis
Mr Jasper	Dr Napthine	Mr Steggall	Mr Paterson

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Haermeyer	Mr Pandazopoulos	Dr Vaughan
Mr Batchelor	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Seitz	
Mr Cole	Mr Loney	Mr Sercombe	Tellers
Mr Cunningham	Ms Marple	Mr Thomson	Mr Bracks
Mr Dollis	Mr Micallef	(Pascoe Vale)	Mr Carli

And so it was resolved in the affirmative.

- 22 ESTATE AGENTS (AMENDMENT) BILL - Order read for resuming debate on question - That this Bill be now read a second time - and on the amendment - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the matter of pricing and regulation of the real estate industry with particular reference to residential property transactions has been referred to an all party Parliamentary Committee for inquiry, consideration and report."

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

The House divided.

AYES, 57

Mr Ashley	Mr Jasper	Mr Paterson	Mr Tanner
Mr Bildstien	Mr Jenkins	Mr Perrin	Mrs Tehan
Mr Brown	Mr John	Mr Perton	Mr Thompson
Mr Clark	Mr Kennett	Mr Pescott	(Sandringham)
Mr Coleman	Mr Kilgour	Mr Phillips	Mr Traynor
Mr Cooper	Mr Leigh	Mr Plowman	Mr Treasure
Mr Davis	Mr McArthur	(Benambra)	Mr Turner
Dr Dean	Mr McGrath	Mr Plowman	Mrs Wade
Mr Doyle	(Warrnambool)	(Evelyn)	Mr Weideman
Mr Elder	Mr McGrath	Mr Reynolds	Mr Wells
Mrs Elliott	(Wimmera)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(Frankston East)	Mr Smith	
Mr Hayward	Mr McNamara	(Glen Waverley)	
Mr Heffernan	Mr Maclellan	Mr Smith	
Mrs Henderson	(Pakenham)	(Polwarth)	Tellers
Mr Honeywood	Mr Maughan	Mr Spry	Mrs McGill
Mr Hyams	Dr Napthine	Mr Steggall	Mrs Peulich

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Haermeyer	Mr Pandazopoulos	Dr Vaughan
Mr Batchelor	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Seitz	
Mr Cole	Mr Loney	Mr Sercombe	Tellers
Mr Cunningham	Ms Marple	Mr Thomson	Mr Bracks
Mr Dollis	Mr Micallef	(Pascoe Vale)	Mr Carli

And so it was resolved in the affirmative.

Question - That this Bill be read now a second time, Government amendments 1 to 14 be agreed to, the Bill be now read a third time and be transmitted to the Legislative Council and their concurrence desired therein - put.

The House divided.

AYES, 56

Mr Ashley	Mr John	Mr Paterson	Mr Spry
Mr Bildstien	Mr Kennett	Mr Perrin	Mr Steggall
Mr Brown	Mr Kilgour	Mr Perton	Mr Tanner
Mr Clark	Mr Leigh	Mr Pescott	Mrs Tehan
Mr Cooper	Mr McArthur	Mrs Peulich	Mr Thompson
Mr Davis	Mrs McGill	Mr Phillips	(Sandringham)
Dr Dean	Mr McGrath	Mr Plowman	Mr Traynor
Mr Doyle	(Warrnambool)	(Benambra)	Mr Treasure
Mr Elder	Mr McGrath	Mr Plowman	Mr Turner
Mr Finn	(Wimmera)	(Evelyn)	Mrs Wade
Mr Gude	Mr McLellan	Mr Reynolds	Mr Weideman
Mr Hayward	(Frankston East)	Mr Richardson	Mr Wells
Mr Heffernan	Mr McNamara	Mr Rowe	
Mr Honeywood	Mr Maclellan	Mr Smith	
Mr Hyams	(Pakenham)	(Glen Waverley)	Tellers
Mr Jasper	Mr Maughan	Mr Smith	Mrs Elliott
Mr Jenkins	Dr Napthine	(Polwarth)	Mrs Henderson

NOES, 24

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Dr Vaughan
Mr Baker	Ms Garbutt	Mr Sandon	Mrs Wilson
Mr Batchelor	Mr Haermeyer	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Sercombe	
Mr Brumby	Mr Loney	Mr Thomson	Tellers
Mr Cole	Ms Marple	(Pascoe Vale)	Mr Carli
Mr Cunningham	Mr Micallef	Mr Thwaites	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

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

The House divided.

AYES, 57

Mr Ashley	Mr Jenkins	Mr Perrin	Mr Tanner
Mr Bildstien	Mr John	Mr Perton	Mrs Tehan
Mr Brown	Mr Kennett	Mr Pescott	Mr Thompson
Mr Clark	Mr Kilgour	Mrs Peulich	(Sandringham)
Mr Coleman	Mr Leigh	Mr Phillips	Mr Traynor
Mr Cooper	Mrs McGill	Mr Plowman	Mr Treasure
Mr Davis	Mr McGrath	(Benambra)	Mr Turner
Dr Dean	(Warrnambool)	Mr Plowman	Mrs Wade
Mr Doyle	Mr McGrath	(Evelyn)	Mr Weideman
Mr Elder	(Wimmera)	Mr Reynolds	Mr Wells
Mrs Elliott	Mr McLellan	Mr Richardson	
Mr Gude	(Frankston East)	Mr Rowe	
Mr Hayward	Mr McNamara	Mr Smith	
Mr Heffernan	Mr Maclellan	(Glen Waverley)	
Mrs Henderson	(Pakenham)	Mr Smith	
Mr Honeywood	Mr Maughan	(Polwarth)	Tellers
Mr Hyams	Dr Napthine	Mr Spry	Mr Finn
Mr Jasper	Mr Paterson	Mr Steggall	Mr McArthur

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Haermeyer	Mr Pandazopoulos	Dr Vaughan
Mr Batchelor	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Seitz	
Mr Carli	Mr Loney	Mr Sercombe	Tellers
Mr Cole	Ms Marple	Mr Thomson	Mr Bracks
Mr Dollis	Mr Micallef	(Pascoe Vale)	Mr Cunningham

And so it was resolved in the affirmative.

- 24 **IMPOUNDING OF LIVESTOCK BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).

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

Ordered - That the debate be adjourned until Thursday, 24 November 1994.

- 25 **CONSTITUTION (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Kennett*).

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

Ordered, after debate - That the debate be adjourned until Thursday, 24 November 1994.

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- 26 **LAND TITLES VALIDATION BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Kennett*).
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Ordered, after debate - That the debate be adjourned until Thursday, 24 November 1994.
- 27 **PUBLIC SECTOR MANAGEMENT (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Kennett*).
- Mr Kennett made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Ordered, after debate - That the debate be adjourned until Thursday, 24 November 1994.
- 28 **SUBORDINATE LEGISLATION BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Kennett*).
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Ordered, after debate - That the debate be adjourned until Thursday, 17 November 1994.
- 29 **LAND TAX (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 November 1994.
- 30 **STATE TAXATION (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Mr Stockdale made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 November 1994.
- 31 **PORTS ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Cole*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 November 1994.
- 32 **OFFICE OF THE REGULATOR-GENERAL (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Smith, Polwarth*).
- Motion made and question - That the debate be now adjourned (*Mr Cole*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 November 1994.
- 33 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 15, be postponed until later this day.

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- 34 **CONSTITUTION (COURT OF APPEAL) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
 Motion made and question - That the debate be now adjourned (*Mr Cole*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 24 November 1994.
- 35 **CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
 Motion made and question - That the debate be now adjourned (*Mr Cole*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 24 November 1994.
- 36 **GAMING AND BETTING (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).
 Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 24 November 1994.
- 37 **FIRE AUTHORITIES (MISCELLANEOUS AMENDMENTS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McNamara*).
 Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 24 November 1994.
- 38 **VICTORIAN ARTS CENTRE (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McNamara*).
 Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 24 November 1994.
- 39 **VOCATIONAL EDUCATION AND TRAINING (STATE TRAINING WAGE) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Hayward*).
 Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 24 November 1994.
- 40 **LOTTERIES GAMING AND BETTING (GENERAL AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).
 Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 24 November 1994.
- 41 **UNIVERSITY ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Hayward*).
 Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 24 November 1994.

- 42 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 24, be postponed until later this day.
- 43 **COURTS (GENERAL AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Mrs Wade made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Cole*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 November 1994.
- 44 **QUEEN VICTORIA WOMEN'S CENTRE BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Ms Garbutt*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 November 1994.
- 45 **MELBOURNE SPORTS AND AQUATIC CENTRE BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).
- Mr Reynolds made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 24 November 1994.
- 46 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 47 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 8.49 p.m., adjourned until Tuesday, 15 November 1994.

J.G. LITTLE

Clerk of the Legislative Assembly

JOHN E. DELZOPPO

Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos. 26, 27 and 28

No. 26 - Tuesday, 15 November 1994

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - City of Boroondara** - Seeking that the eastern boundary of the City of Boroondara be extended eastwards to Elgar Road and Gardiners Creek, from the northern to the southern boundaries of the City of Box Hill, bearing 4,579 signatures (*by Mr Clark*).
 - Service Station at Rosanna Road, Rosanna** - Seeking that the Minister for Planning and the Member for Ivanhoe support the concerns of the local residents at the possibility of a service station being constructed at 165 & 167 Rosanna Road, Rosanna, bearing 545 signatures (*by Mr Leighton*).Severally ordered to lie on the Table.
- 4 **SOLICITORS' GUARANTEE FUND** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Solicitors' Guarantee Fund for the year 1993-94 (*Mrs Wade*) - put and agreed to.
- 5 **PAPER** - Mrs Wade presented:
 - Solicitors' Guarantee Fund - Report for the year 1993-94 - Return to the foregoing Order.Ordered to lie on the Table.
- 6 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 13 of 1994 on the -
 - Land (Miscellaneous Matters) and National Tennis Centre (Amendment) Bill
 - University Acts (Amendment) Bill
 - Borrowing and Investment Powers (Public Transport Corporation) Bill
 - Victorian Plantations Corporation (Amendment) Bill
 - Crimes (Amendment) Bill
 - Prostitution Control Bill
 - Crown Lands Acts (Amendment) Bill
 - Environment Effects (Amendment) Bill
 - Classification of Films and Publications (Amendment) Bill
 - Victorian Arts Centre (Amendment) Bill
 - Land Tax (Amendment) Billtogether with an Appendix.
Ordered to lie on the Table and to be printed.

- 7 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Anti-Cancer Council of Victoria - Report for the year 1993-94
 - Health and Community Services - Report for the year 1993-94
 - Housing Guarantee Fund Ltd - Report for the year 1993-94
 - Mental Health Review Board and Pyschosurgery Review Board - Report for the year 1993-94
 - Physiotherapists Registration Board - Report for the year 1993-94
 - Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
 - Cranbourne Planning Scheme - No. L105
 - Frankston Planning Scheme - No. L63
 - Greater Geelong Planning Scheme - No. L94
 - Kew Planning Scheme - No. L18
 - Lillydale Planning Scheme - No. L131
 - Port Melbourne Planning Scheme - No. L17
 - Rosedale Planning Scheme - No. L41
 - Whittlesea Planning Scheme - Nos. L99, L105
 - Public Service Commissioner - Report for the year 1993-94
 - Radiation Advisory Committee - Report for the year ended 30 September 1994
 - Statutory Rule under the following Act:
 - Health Act 1958 - S.R. No. 165, together with copies of the following documents as required by Section 32 of the Interpretation of Legislation Act 1984 to accompany the Statutory Rule:
 - Code of Practice for the Safe Transport of Radioactive Substances 1990
 - Annual Limits of Intake of Radionuclides by Workers Based on the 1990 Recommendations
 - International Standard ISO 2919 - 1980 - Sealed radioactive sources - Classification
 - International Standards Technical Report ISO/TR 4826 - 1979 - Sealed radioactive sources - Leak test methods
 - Tattersall Sweep Consultations - Report for the year 1993-94.
- 8 **LOCAL GOVERNMENT (AMENDMENT) BILL** - Motion made, by leave, and question - That it be an instruction to the Committee that they have power to consider a New Clause to the Local Government (Amendment) Bill to provide for the exclusion of people of unsound mind from voters' rolls (*Mr Maclellan, Pakenham*) - put and agreed to.
- 9 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3) -
- (a) the Orders of the Day, Government Business, relating to the following Bills:
- Domestic (Feral and Nuisance) Animals Bill
 - Local Government (Amendment) Bill
 - Emergency Management (Amendment) Bill
 - Corrections (Amendment) Bill
 - Land (Miscellaneous Matters) and National Tennis Centre (Amendment) Bill
 - Crown Lands Acts (Amendment) Bill

Victorian Plantations Corporation (Amendment) Bill
 Crimes (Amendment) Bill
 Prostitution Control Bill
 Fisheries (Amendment) Bill
 Subordinate Legislation Bill; and

(b) the Order of the Day, Government Business, relating to the Address-in-Reply to the Governor's Speech be considered and completed by 5.30 p.m. on Thursday, 17 November 1994.

(Mr Gude) - after debate, put.

The House divided.

AYES, 59

Mr Bildstien	Mr Kennett	Mr Perrin	Mr Steggall
Mr Brown	Mr Kilgour	Mr Perton	Mr Stockdale
Mr Clark	Mr Leigh	Mr Pescott	Mr Tanner
Mr Coleman	Mr Lupton	Mrs Peulich	Mrs Tehan
Mr Cooper	Mr McArthur	Mr Phillips	Mr Thompson
Dr Dean	Mrs McGill	Mr Plowman	(Sandringham)
Mr Doyle	Mr McGrath	(Benambra)	Mr Traynor
Mr Elder	(Warrnambool)	Mr Plowman	Mr Treasury
Mrs Elliott	Mr McGrath	(Evelyn)	Mr Turner
Mr Finn	(Wimmera)	Mr Reynolds	Mrs Wade
Mr Gude	Mr McLellan	Mr Richardson	Mr Weideman
Mr Heffernan	(Frankston East)	Mr Rowe	Mr Wells
Mrs Henderson	Mr McNamara	Mr Ryan	
Mr Honeywood	Mr Maclellan	Mr Smith	
Mr Hyams	(Pakenham)	(Glen Waverley)	
Mr Jasper	Mr Maughan	Mr Smith	Tellers
Mr Jenkins	Dr Napthine	(Polwarth)	Mr Ashley
Mr John	Mr Paterson	Mr Spry	Mr Davis

NOES, 24

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Dr Vaughan
Mr Baker	Mr Haermeyer	Mr Pandazopoulos	Mrs Wilson
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Brumby	Mr Leighton	Mr Sercombe	
Mr Cole	Mr Loney	Mr Thomson	Tellers
Mr Cunningham	Ms Marple	(Pascoe Vale)	Mr Bracks
Mr Dollis	Mr Micallef	Mr Thwaites	Mr Carli

And so it was resolved in the affirmative.

- 10 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos 1 and 2, be postponed until later this day.
- 11 **ELECTRICITY INDUSTRY (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Plowman, Evelyn*).
- Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
- Ordered - That the debate be adjourned until Tuesday, 29 November 1994.

- 12 **JUDICIAL REMUNERATION TRIBUNAL BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
 Motion made and question - That the debate be now adjourned (*Mr Thomson, Pascoe Vale*) - put and agreed to.
 Ordered - That the debate be adjourned until Tuesday, 29 November 1994.
- 13 **POSTPONEMENT OF ORDER OF THE DAY** - Motion made and question - That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day (*Mr Gude*) - put.
 The House divided.

AYES, 58

Mr Ashley	Mr Jenkins	Mr Perrin	Mr Steggall
Mr Bildstien	Mr John	Mr Perton	Mr Stockdale
Mr Brown	Mr Kilgour	Mr Pescott	Mr Tanner
Mr Clark	Mr Leigh	Mrs Peulich	Mrs Tehan
Mr Coleman	Mr Lupton	Mr Phillips	Mr Traynor
Mr Cooper	Mr McArthur	Mr Plowman	Mr Treasure
Mr Davis	Mr McGrath	(<i>Benambra</i>)	Mr Turner
Dr Dean	(<i>Warrnambool</i>)	Mr Plowman	Mrs Wade
Mr Doyle	Mr McGrath	(<i>Evelyn</i>)	Mr Weideman
Mr Elder	(<i>Wimmera</i>)	Mr Reynolds	Mr Wells
Mrs Elliott	Mr McLellan	Mr Richardson	
Mr Finn	(<i>Frankston East</i>)	Mr Rowe	
Mr Gude	Mr McNamara	Mr Ryan	
Mr Heffernan	Mr Maclellan	Mr Smith	
Mrs Henderson	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	<i>Tellers</i>
Mr Honeywood	Mr Maughan	Mr Smith	Mr McGill
Mr Hyams	Dr Napthine	(<i>Polwarth</i>)	Mr Thompson
Mr Jasper	Mr Paterson	Mr Spry	(<i>Sandringham</i>)

NOES, 22

Mr Andrianopoulos	Mr Haermeyer	Mr Seitz	
Mr Baker	Mr Hamilton	Mr Sercombe	
Mr Batchelor	Mr Leighton	Mr Thomson	
Mr Brumby	Mr Loney	(<i>Pascoe Vale</i>)	
Mr Carli	Ms Marple	Mr Thwaites	<i>Tellers</i>
Mr Cunningham	Mr Micallef	Dr Vaughan	Mr Bracks
Ms Garbutt	Mr Pandazopoulos	Mrs Wilson	Mr Mildenhall

And so it was resolved in the affirmative.

- 14 **PROJECT DEVELOPMENT AND CONSTRUCTION MANAGEMENT BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).
 Motion made and question - That the debate be now adjourned (*Mr Thomson, Pascoe Vale*) - put and agreed to.
 Ordered - That the debate be adjourned until Tuesday, 29 November 1994.

- 15 **PLANNING AUTHORITIES REPEAL BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).
 Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
 Ordered - That the debate be adjourned until Tuesday, 29 November 1994.
- 16 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 8 be postponed until later this day.
- 17 **LIVESTOCK DISEASE CONTROL BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).
Mr McGrath (Wimmera) made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.
 Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
 Ordered - That the debate be adjourned until Tuesday, 29 November 1994.
- 18 **MELBOURNE CITY LINK AUTHORITY BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).
 Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
 Motion made and question proposed - That the debate be adjourned for two weeks (*Mr Brown*).
 Amendment proposed - That the words "two weeks" be omitted with the view of inserting in place thereof the words "five months" (*Mr Brumby*) - and, after debate -
 Question- That the words proposed to be omitted stand part of the question - put.
 The House divided.

AYES, 53

Mr Ashley	Mr Jasper	Mr Perton	Mr Steggall
Mr Bildstien	Mr Jenkins	Mr Pescott	Mr Tanner
Mr Brown	Mr John	Mrs Peulich	Mrs Tehan
Mr Clark	Mr Kilgour	Mr Phillips	Mr Thompson
Mr Coleman	Mr Leigh	Mr Plowman	(<i>Sandringham</i>)
Mr Cooper	Mr Lupton	(<i>Benambra</i>)	Mr Traynor
Mr Davis	Mr McGrath	Mr Plowman	Mr Treasure
Dr Dean	(<i>Warrnambool</i>)	(<i>Evelyn</i>)	Mr Turner
Mr Doyle	Mr McGrath	Mr Richardson	Mrs Wade
Mr Elder	(<i>Wimmera</i>)	Mr Rowe	Mr Weideman
Mrs Elliott	Mr Maclellan	Mr Ryan	Mr Wells
Mr Finn	(<i>Pakenham</i>)	Mr Smith	
Mr Hayward	Mr Maughan	(<i>Glen Waverley</i>)	Tellers
Mrs Henderson	Dr Napthine	Mr Smith	Mr McArthur
Mr Honeywood	Mr Paterson	(<i>Polwarth</i>)	Mr McLellan
Mr Hyams	Mr Perrin	Mr Spry	(<i>Frankston East</i>)

NOES, 24

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Dr Vaughan
Mr Baker	Mr Haermeyer	Mr Pandazopoulos	Mrs Wilson
Mr Batchelor	Mr Hamilton	Mr Seitz	
Dr Coghill	Mr Leighton	Mr Sercombe	
Mr Cole	Mr Loney	Mr Thomson	<i>Tellers</i>
Mr Cunningham	Ms Marple	(<i>Pascoe Vale</i>)	Mr Bracks
Mr Dollis	Mr Micallef	Mr Thwaites	Mr Carli

And so it was resolved in the affirmative.

Question - That the debate be adjourned for two weeks - put and agreed to.

Ordered - That the debate be adjourned until Tuesday, 29 November 1994.

- 19 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Road Safety (Further Amendment) Bill without amendment.

- 20 **DOMESTIC (FERAL AND NUISANCE) ANIMALS BILL** - Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and, after debate, agreed to by the House with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

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

- 21 **LOCAL GOVERNMENT (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Maclellan (*Pakenham*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

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

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

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

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

Ordered - That the debate be adjourned until tomorrow.

- 22 **SUPERANNUATION ACTS (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Smith, Polwarth*).

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

Ordered - That the debate be adjourned until Tuesday, 29 November 1994.

- 23 **CASINO (MANAGEMENT AGREEMENT) (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).

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

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

Amendment proposed - That the words "for two weeks" be omitted with the view of inserting in place thereof the words "until a Select committee of this House has examined the proposals contained in the Bill and reported to the House" (*Mr Brumby*) - and, after debate -

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

WEDNESDAY, 16 NOVEMBER 1994

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

The House divided.

AYES, 56

Mr Ashley	Mr Jenkins	Dr Napthine	Mr Spry
Mr Bildstien	Mr John	Mr Paterson	Mr Steggall
Mr Brown	Mr Kennett	Mr Perrin	Mr Tanner
Mr Clark	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Coleman	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Cooper	Mr McArthur	Mr Phillips	(<i>Sandringham</i>)
Dr Dean	Mrs McGill	Mr Plowman	Mr Traynor
Mr Doyle	Mr McGrath	(<i>Benambra</i>)	Mr Treasure
Mr Elder	(<i>Warrnambool</i>)	Mr Plowman	Mr Turner
Mrs Elliott	(<i>Wimmera</i>)	(<i>Evelyn</i>)	Mrs Wade
Mr Finn	Mr McLellan	Mr Reynolds	Mr Weideman
Mr Gude	(<i>Frankston East</i>)	Mr Richardson	Mr Wells
Mr Hayward	Mr McNamara	Mr Rowe	
Mrs Henderson	Mr Maclellan	Mr Smith	
Mr Honeywood	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	<i>Tellers</i>
Mr Hyams	Mr Maughan	Mr Smith	Mr Davis
Mr Jasper		(<i>Polwarth</i>)	Mr Lupton

NOES, 24

Mr Andrianopoulos	Mr Dollis	Mr Micallef	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Mildenhall	Mrs Wilson
Mr Batchelor	Mr Haermeyer	Mr Pandazopoulos	
Mr Brumby	Mr Hamilton	Mr Seitz	
Dr Coghull	Mr Leighton	Mr Sercombe	<i>Tellers</i>
Mr Cole	Mr Loney	Mr Thomson	Mr Bracks
Mr Cunningham	Ms Marple	(<i>Pascoe Vale</i>)	Mr Carli

And so it was resolved in the affirmative.

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

The House divided.

AYES, 56

Mr Bildstien	Mr John	Dr Napthine	Mr Spry
Mr Brown	Mr Kennett	Mr Paterson	Mr Steggall
Mr Clark	Mr Kilgour	Mr Perrin	Mr Tanner
Mr Coleman	Mr Leigh	Mr Perton	Mrs Tehan
Mr Cooper	Mr Lupton	Mrs Peulich	Mr Thompson
Mr Davis	Mr McArthur	Mr Phillips	(Sandringham)
Dr Dean	Mrs McGill	Mr Plowman	Mr Traynor
Mr Doyle	Mr McGrath	(Benambra)	Mr Treasure
Mr Elder	(Warrnambool)	Mr Plowman	Mr Turner
Mrs Elliott	Mr McGrath	(Evelyn)	Mrs Wade
Mr Finn	(Wimmera)	Mr Reynolds	Mr Weideman
Mr Gude	Mr McLellan	Mr Richardson	Mr Wells
Mr Hayward	(Frankston East)	Mr Rowe	
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maclellan	(Glen Waverley)	Tellers
Mr Jasper	(Pakenham)	Mr Smith	Mr Ashley
Mr Jenkins	Mr Maughan	(Polwarth)	Mr Hyams

NOES, 24

Mr Andrianopoulos	Mr Dollis	Mr Micallef	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Mildenhall	Mrs Wilson
Mr Batchelor	Mr Haermeyer	Mr Pandazopoulos	
Mr Brumby	Mr Hamilton	Mr Seitz	
Dr Coghill	Mr Leighton	Mr Sercombe	Tellers
Mr Cole	Mr Loney	Mr Thomson	Mr Bracks
Mr Cunningham	Ms Marple	(Pascoe Vale)	Mr Carli

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Tuesday, 29 November 1994.

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

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

And the House, at 1.27 a.m., adjourned until later this day.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 27 - Wednesday, 16 November 1994

1 Mr Speaker took the Chair and read the Prayer.

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

Sodomy - Seeking that legislation be enacted to make the commission of sodomy a criminal offence, to prevent this serious health hazard from being promoted in the media and educational institutions as a valid form of sexual intercourse, bearing 104 signatures (*by Mrs McGill*).

Ordered to lie on the Table.

- 3 **PAPERS** -

Mr Speaker presented:

Auditor-General - Special Report No. 32 on A Competent Workforce: Professional Development.

Ordered to lie on the Table and to be printed.

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

Building Act 1993 - Building Code of Australia 1990, as amended by Amendment No. 7, together with copies of the following documents as required by section 32 of the Interpretation of Legislation Act 1984, to accompany the amendment of the Code:

AS 1170.1 - 1989 - SAA Loading Code - Minimum design loads on structures - Dead and live loads and load combinations (as amended)

AS 1170.2 - 1989 - SAA Loading Code - Minimum design loads on structures - Wind loads (as amended)

AS 1170.4 - 1993 - SAA Loading Code - Minimum design loads on structures - Earthquake loads (as amended) (replaces AS 2121-1979)

AS 1288 - 1994 - Glass in buildings - Selection and installation (replaces AS 1288 - 1989)

AS 1530.2 - 1993 - Methods for fire tests on building materials, components and structures - Test for flammability of materials (as amended) (replaces AS 1530.2-1973)

AS 1603.2 - 1990 - Automatic fire detection and alarm systems - Point type smoke detectors (as amended) (new reference)

AS 1657 - 1992 - Fixed platforms, walkways, stairways and ladders - Design, construction and installation (replaces AS 1657-1985)

AS 1684 - 1992 - National Timber Framing Code (as amended)

AS 1720.1 - 1988 - SAA Timber Structures Code - Design Methods (as amended)

AS 1735.2 - 1993 - Lifts, escalators and moving walks - Passenger and goods lifts - Electric (replaces AS 1735.2-1986)

AS 1851.3 - 1985 - Maintenance of fire protection equipment - Automatic fire sprinkler systems (new reference)

AS 1926.1 - 1993 - Swimming pool safety - Fencing for swimming pools (replaces AS 1926-1986)

AS 2220.1 - 1989 - Emergency warning and intercommunication systems in buildings - Equipment design and manufacture (as amended) (replaces AS 2220-1978)

AS 2220.2 - 1989 - Emergency warning and intercommunication systems in buildings - System design, installation and commissioning (as amended) (replaces AS 2220-1978)

AS 2293.1 - 1987 - Emergency evacuation lighting in buildings - Design and installation (as amended)

AS 2419.1 - 1994 - Fire hydrant installations - System design, installation and commissioning (replaces AS 2419.1-1988)
 AS 2890.1 - 1993 - Parking facilities - Off-street car parking (new reference)
 AS 3013 - 1990 - Electrical installations - Wiring systems for specific applications (new reference)
 AS 3600 - 1994 - Concrete structures (replaces AS 3600-1988)
 AS 3623 - 1993 - Domestic metal framing (new reference)
 AS 3740 - 1994 - Waterproofing of wet areas within residential buildings (new reference)
 AS 3786 - 1993 - Smoke alarms (new reference)
 AS 4100 - 1990 - Steel structures (as amended)
 AS 4072.1 - 1992 - Components for the protection of openings in fire-resistant separating elements - Service penetrations and control joints (new reference)
 ANZS 4200.1 - 1994 - Pliable building membranes and underlays - Materials (new reference)
 ANZS 4200.2 - 1994 - Pliable building membranes and underlays - Installation requirements (new reference)
 Scientific Services Laboratory - Register of Accredited Products - Fire Protection Equipment
 Confederation of Australian Motor Sport - Track Operator's Safety Guide - Edition 2 - June 1993
 Code of Practice for Installation of Residential Life Safety Sprinkler Systems in Buildings up to Four Storeys
 House Energy Rating - Energy Victoria - User Manual, June 1994
 Timber Framing Manual - Timber Promotion Council, February 1994
 Residential Care - Design Guidelines - Health Department Victoria, April 1991
 Building Control Commission - Practice Note No. 07 - Residential Fire Safety Systems, October 1994
 Building Control Commission - Practice Note No. 08 - Emergency Communication Systems, October 1994

Energy and Minerals Department - Report for the year 1993-94

Gas and Fuel Corporation Superannuation Fund - Report for the year 1993-94

Premier and Cabinet Department - Report for the year 1993-94

State Electoral Office - Report for the year 1993-94

Treasury Department - Report for the year 1993-94

Victorian Gaming Commission - Report for the period ended 2 June 1994

Victorian Health Promotion Foundation - Report for the year 1993-94.

- 4 **SEXUAL DISCRIMINATION** - Motion made and question proposed - That this House calls on the Government to amend the *Equal Opportunity Act 1993* to eliminate discrimination against people on the grounds of their sexual preference (*Mr Cole*) - and, after debate -

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

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

- 6 **GAS INDUSTRY BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Plowman, Evelyn*).

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

Ordered - That the debate be adjourned until Wednesday, 30 November 1994.

- 7 **WATER INDUSTRY BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).

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

Ordered - That the debate be adjourned until Wednesday, 30 November 1994.

- 8 **PROSTITUTION CONTROL BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

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

Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move a further amendment in Committee and requested that it be circulated. Further amendment circulated.

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

Question - put.

The House divided.

AYES, 53

Mr Ashley	Mr Jenkins	Mr Maughan	Mr Tanner
Mr Bildstien	Mr John	Mr Paterson	Mrs Tehan
Mr Brown	Mr Kennett	Mr Perrin	Mr Traynor
Mr Clark	Mr Kilgour	Mr Perton	Mr Treasure
Mr Coleman	Mr Leigh	Mr Pescott	Mr Turner
Mr Cooper	Mr Lupton	Mrs Peulich	Mrs Wade
Mr Davis	Mr McArthur	Mr Plowman	Mr Weideman
Dr Dean	Mrs McGill	(<i>Benambra</i>)	
Mr Doyle	Mr McGrath	Mr Plowman	
Mr Elder	(<i>Warrnambool</i>)	(<i>Evelyn</i>)	
Mrs Elliott	Mr McGrath	Mr Richardson	
Mr Finn	(<i>Wimmera</i>)	Mr Rowe	
Mr Hayward	Mr McLellan	Mr Ryan	
Mr Heffernan	(<i>Frankston East</i>)	Mr Smith	
Mr Honeywood	Mr McNamara	(<i>Glen Waverley</i>)	Tellers
Mr Hyams	Mr Maclellan	Mr Steggall	Mrs Henderson
Mr Jasper	(<i>Pakenham</i>)	Mr Stockdale	Mr Spry

NOES, 22

Mr Andrianopoulos	Ms Garbutt	Mr Sandon	
Mr Baker	Mr Haermeyer	Mr Seitz	
Mr Batchelor	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Leighton	Mr Thomson	
Dr Coghill	Mr Loney	(Pascoe Vale)	Tellers
Mr Cole	Ms Marple	Mr Thwaites	Mr Bracks
Mr Dollis	Mr Pandazopoulos	Mrs Wilson	Mr Carli

And so it was resolved in the affirmative.

Bill read a second time.

Ordered - That this Bill be committed later this day.

- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Financial Management (Amendment) Bill without amendment.

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

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

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

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

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

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

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

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

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Intellectually Disabled Persons' Services (Amendment) Bill without amendment.

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

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

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

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until an independent and public committee of inquiry has examined, considered and reported on the proposals contained in the Bill with particular emphasis on the following matters: - (a) the likely economic costs and benefits of private sector management of prisons and other corrective services; (b) the likely social costs and benefits of private sector management of prisons and other corrective services; (c) the likely impact of privately managed prisons and other corrective services on the achievement of social objectives through the corrections system; (d) comparative safety and security considerations; (e) the likely impact of the creation of a commercially motivated penal and corrective industry on public debate and policy formulation in relation to crime and punishment issues; and (f) alternative financing

methods for the construction of three new prisons as required." (*Mr Haermeyer*) - and, after debate.

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

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

- 13 **LAND (MISCELLANEOUS MATTERS) AND NATIONAL TENNIS CENTRE (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

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

THURSDAY, 17 NOVEMBER 1994

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

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

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

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

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

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

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

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

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

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

And the House, at 1.47 a.m., adjourned until later this day.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 28 - Thursday, 17 November 1994

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

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

Disabled Persons Parking Scheme Policy - Seeking that the current Disabled Persons Parking Scheme policy be amended by introducing a two tier system of parking to reflect the special needs of persons with disability or mobility problems, bearing 996 signatures (*by Mr Traynor*)

Public Health Risk - Seeking that the public health of all citizens and the safety of Victorian children not be put at risk by the Government's promotion of homosexual rights, bearing 106 signatures (*by Mr Tanner*).

Severally ordered to lie on the Table.

- 3 **ENVIRONMENT AND NATURAL RESOURCES COMMITTEE** - Mr Perrin, Chairman, brought up a Report from the Environment and Natural Resources Committee on the Environmental Impact of Commonwealth Activities and Places in Victoria, together with Appendices and Minutes of Evidence.

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

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

Adult Parole Board - Report for the year 1993-94

Agriculture Department - Report for the year 1993-94

Bright District Water Board - Report for the year 1993-94

Campaspe Region Water Authority - Report for the year 1993-94

Central Highlands Region Water Authority - Report for the year 1993-94

Colac Region Water Authority - Report for the year 1993-94

Coliban Region Water Authority - Report for the year 1993-94

Conservation and Natural Resources Department - Report for the year 1993-94

Education Department - Report for the year 1993-94

Euroa Nagambie Regional Water Authority - Report for the year 1993-94

Justice Department - Report for the year 1993-94

Korumburra Water Board - Report for the year 1993-94

Leongatha Water Board - Report for the year 1993-94

Local Authorities Superannuation Board - Report for the year 1993-94

Macalister Water Board - Report for the year 1993-94

Mallacoota Water Board - Report for the year 1993-94

Mansfield District Water Board - Report for the year 1993-94

Mid-Goulburn Regional Water Board - Report for the year 1993-94

Mitchell Water Board - Report for the year 1993-94

Ovens River Management Board - Report for the year 1993-94

Parliamentary Committees Act 1968 - Response from the Attorney-General on the action taken with respect to the recommendations made by the Law Reform Committee's Report on Reforming the Law of Wills

St Arnaud Town (Water and Sewerage) - Report for the year 1993-94

Statutory Rules under the following Acts:

Australian Grand Prix Act 1994 - S.R. No. 179
Environment Protection Act 1970 - S.R. No. 172
Road Safety Act 1986 - S.R. Nos. 175, 178

Swan Hill Water Board - Report for the year 1993-94

Tarago Water Board - Report for the year 1993-94

Transport Department - Report for the year 1993-94

Warracknabeal Water Board - Report for the year 1993-94

Westernport Water Board - Report for the year 1993-94

Wonthaggi-Inverloch Water Board - Report for the year 1993-94.

- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 29 November 1994 (*Mr Gude*) - put and agreed to.
- 6 **GOVERNMENT BUSINESS PROGRAMME** - Motion made and question - That the Government Business Programme agreed to by this House on 15 November 1994 be amended by omitting the Order of the Day, Government Business, relating to the Subordinate Legislation Bill (*Mr Gude*) - put and agreed to.
- 7 **CROWN LANDS ACTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr Coleman announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment circulated.
- Debate resumed on question - That this Bill be now read a second time.
- Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Minister has commissioned and received a report from the Land Conservation Council on the status and future of both Crown frontages to rivers, streams, lakes and coast reserved for public purposes and unused road reserves" (*Mr Dollis*) - and, after debate -
- Question - That the words proposed to be omitted stand part of the question - put.

The House divided.

AYES, 54

Mr Bildstien	Mr Jasper	Mr Perton	Mr Stockdale
Mr Brown	Mr John	Mr Pescott	Mr Tanner
Mr Clark	Mr Kilgour	Mrs Peulich	Mrs Tehan
Mr Coleman	Mr Leigh	Mr Plowman	Mr Thompson
Mr Cooper	Mr Lupton	(Benambra)	(Sandringham)
Mr Davis	Mr McArthur	Mr Plowman	Mr Traynor
Dr Dean	Mrs McGill	(Evelyn)	Mr Treasure
Mr Doyle	Mr McGrath	Mr Reynolds	Mr Weideman
Mr Elder	(Wimmera)	Mr Richardson	Mr Wells
Mrs Elliott	Mr McLellan	Mr Rowe	
Mr Finn	(Frankston East)	Mr Ryan	
Mr Gude	Mr Maclellan	Mr Smith	
Mr Hayward	(Pakenham)	(Glen Waverley)	
Mr Heffernan	Mr Maughan	Mr Smith	
Mrs Henderson	Dr Napthine	(Polwarth)	Tellers
Mr Honeywood	Mr Paterson	Mr Spry	Mr Jenkins
Mr Hyams	Mr Perrin	Mr Steggall	Mr Turner

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Pandazopoulos	
Mr Baker	Mr Haermeyer	Mr Sandon	
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Brumby	Mr Leighton	Mr Sercombe	
Dr Coghill	Mr Loney	Mr Thomson	
Mr Cole	Ms Marple	(Pascoe Vale)	Tellers
Mr Cunningham	Mr Micallef	Dr Vaughan	Mr Bracks
Mr Dollis	Mr Mildenhall	Mrs Wilson	Mr Carli

And so it was resolved in the affirmative.

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

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

- 8 LOCAL GOVERNMENT (AMENDMENT) BILL - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Question - put.

The House divided.

AYES, 53

Mr Ashley	Mr Jasper	Mr Perrin	Mr Steggall
Mr Brown	Mr Jenkins	Mr Perton	Mr Stockdale
Mr Clark	Mr John	Mr Pescott	Mr Tanner
Mr Coleman	Mr Kilgour	Mrs Peulich	Mrs Tehan
Mr Cooper	Mr Leigh	Mr Plowman	Mr Thompson
Mr Davis	Mr Lupton	(Benambra)	(Sandringham)
Dr Dean	Mr McArthur	Mr Plowman	Mr Traynor
Mr Doyle	Mrs McGill	(Evelyn)	Mr Turner
Mr Elder	Mr McLellan	Mr Reynolds	Mr Weideman
Mrs Elliott	(Frankston East)	Mr Richardson	Mr Wells
Mr Finn	Mr McNamara	Mr Rowe	
Mr Hayward	Mr Maclellan	Mr Smith	
Mr Heffernan	(Pakenham)	(Glen Waverley)	
Mrs Henderson	Mr Maughan	Mr Smith	Tellers
Mr Honeywood	Dr Napthine	(Polwarth)	Mr Phillips
Mr Hyams	Mr Paterson	Mr Spry	Mr Treasure

NOES, 25

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Pandazopoulos	Dr Vaughan
Mr Batchelor	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Seitz	
Dr Coghill	Mr Loney	Mr Sercombe	Tellers
Mr Cole	Ms Marple	Mr Thomson	Mr Bracks
Mr Cunningham	Mr Micallef	(Pascoe Vale)	Mr Carli

And so it was resolved in the affirmative.

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

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

- 9 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 10 **LOCAL GOVERNMENT (AMENDMENT) BILL** - Bill committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time with the concurrence with of an absolute majority of the whole number of the Members of the Legislative Assembly.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 11 **CORRECTIONS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until an independent and public committee of inquiry has examined, considered and reported on the proposals contained in the Bill with particular emphasis on the following matters: - (a) the likely economic costs and benefits of private sector management of prisons and other corrective services; (b) the likely social costs and benefits of private sector management of prisons and other corrective services; (c) the likely impact

of privately managed prisons and other corrective services on the achievement of social objectives through the corrections system; (d) comparative safety and security considerations; (e) the likely impact of the creation of a commercially motivated penal and corrective industry on public debate and policy formulation in relation to crime and punishment issues; and (f) alternative financing methods for the construction of three new prisons as required"; debate resumed.

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

The House divided.

AYES, 56

Mr Bildstien	Mr Jasper	Dr Napthine	Mr Smith
Mr Brown	Mr Jenkins	Mr Paterson	(Polwarth)
Mr Clark	Mr John	Mr Perrin	Mr Spry
Mr Coleman	Mr Kennett	Mr Perton	Mr Steggall
Mr Cooper	Mr Kilgour	Mr Pescott	Mr Tanner
Mr Davis	Mr Leigh	Mrs Peulich	Mrs Tehan
Dr Dean	Mr Lupton	Mr Phillips	Mr Thompson
Mr Doyle	Mr McGill	Mr Plowman	(Sandringham)
Mr Elder	Mr McGrath	(Benambra)	Mr Traynor
Mrs Elliott	(Warrnambool)	Mr Plowman	Mr Treasure
Mr Finn	Mr McGrath	(Evelyn)	Mr Turner
Mr Gude	(Wimmera)	Mr Reynolds	Mr Weideman
Mr Hayward	Mr McLellan	Mr Richardson	
Mr Heffernan	(Frankston East)	Mr Rowe	
Mrs Henderson	Mr Maclellan	Mr Ryan	Tellers
Mr Honeywood	(Pakenham)	Mr Smith	Mr McArthur
Mr Hyams	Mr Maughan	(Glen Waverley)	Mr Wells

NOES, 25

Mr Andrianopoulos	Mr Cole	Mr Micallef	Mr Thwaites
Mr Baker	Mr Dollis	Mr Mildenhall	Dr Vaughan
Mr Batchelor	Ms Garbutt	Mr Sandon	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mr Seitz	
Mr Brumby	Mr Leighton	Mr Sercombe	Tellers
Mr Carli	Mr Loney	Mr Thomson	Mr Cunningham
Dr Coghill	Ms Marple	(Pascoe Vale)	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

The House divided.

AYES, 54

Mr Bildstien	Mr John	Mr Paterson	Mr Steggall
Mr Clark	Mr Kilgour	Mr Perrin	Mr Tanner
Mr Coleman	Mr Leigh	Mr Perton	Mrs Tehan
Mr Cooper	Mr Lupton	Mr Pescott	Mr Thompson
Mr Davis	Mr McArthur	Mr Phillips	(Sandringham)
Dr Dean	Mrs McGill	Mr Plowman	Mr Traynor
Mr Doyle	Mr McGrath	(Benambra)	Mr Treasure
Mr Elder	(Warrnambool)	Mr Plowman	Mr Turner
Mrs Elliott	Mr McGrath	(Evelyn)	Mr Weideman
Mr Gude	(Wimmera)	Mr Richardson	Mr Wells
Mr Hayward	Mr McLellan	Mr Rowe	
Mr Heffernan	(Frankston East)	Mr Ryan	
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maclellan	(Glen Waverley)	
Mr Hyams	(Pakenham)	Mr Smith	Tellers
Mr Jasper	Mr Maughan	(Polwarth)	Mr Finn
Mr Jenkins	Dr Napthine	Mr Spry	Mrs Feulich

NOES, 25

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Pandazopoulos	Dr Vaughan
Mr Batchelor	Mr Haermeyer	Mr Sandon	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Seitz	
Dr Coghill	Mr Loney	Mr Sercombe	Tellers
Mr Cole	Ms Marple	Mr Thomson	Mr Bracks
Mr Cunningham	Mr Micallef	(Pascoe Vale)	Mr Carli

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee.

Allocation of time - The time allocated for consideration of Bills and the Address in Reply to the Governor's Speech pursuant to Resolution of House on Tuesday, 15 November 1994 having expired.

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

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

- 12 **VICTORIAN PLANTATIONS CORPORATION (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

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

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

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

- 14 **PROSTITUTION CONTROL BILL** - Bill considered in Committee and reported with amendments.

Question - That the House agree to the amendments made by the Committee, the Bill be now read a third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

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

Question - That this Bill be now read a second time, Government amendments Nos. 1 to 5 inclusive, be agreed to, this Bill be now read a third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 16 **LAND (MISCELLANEOUS MATTERS) AND NATIONAL TENNIS CENTRE (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

Government amendments Nos. 1 to 5 inclusive agreed to.

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

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

- 17 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** - Order read for resuming debate on question - That the following address, in reply to the speech of His Excellency the Governor to both Houses of Parliament, be agreed to by this House (for Address see p. 20 *ante*) - *and on the amendment* - That the following words be added to the proposed Address "but is of the view that loyalty should be expressed to the Constitution and people of the State of Victoria within the Commonwealth and calls on the Government to respect and restore the responsibility and accountability of government to the Parliament and to introduce policies to meet the needs and desires of the people of Victoria."

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

The House divided.

AYES, 24

Mr Baker
Mr Batchelor
Mr Bracks
Mr Brumby
Mr Carli
Dr Coghill
Mr Cole

Mr Cunningham
Mr Dollis
Ms Garbutt
Mr Haermeyer
Mr Leighton
Mr Loney
Ms Marple

Mr Micallef
Mr Mildenhall
Mr Pandazopoulos
Mr Sandon
Mr Seitz
Mr Sercombe
Mr Thomson
(*Pascoe Vale*)

Mrs Wilson

Tellers
Mr Andrianopoulos
Dr Vaughan

NOES, 53

Mr Bildstien	Mr Jenkins	Mr Perrin	Mr Steggall
Mr Clark	Mr John	Mr Perton	Mr Tanner
Mr Coleman	Mr Kilgour	Mr Pescott	Mrs Tehan
Mr Cooper	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Davis	Mr Lupton	Mr Phillips	(Sandringham)
Dr Dean	Mr McArthur	Mr Plowman	Mr Traynor
Mr Doyle	Mrs McGill	(Benambra)	Mr Turner
Mr Elder	Mr McGrath	Mr Plowman	Mr Weideman
Mrs Elliott	(Warrnambool)	(Evelyn)	Mr Wells
Mr Finn	Mr McGrath	Mr Reynolds	
Mr Gude	(Wimmera)	Mr Richardson	
Mr Hayward	Mr McLellan	Mr Rowe	
Mr Heffernan	(Frankston East)	Mr Smith	
Mrs Henderson	Mr Maclellan	(Glen Waverley)	
Mr Honeywood	(Pakenham)	Mr Smith	Tellers
Mr Hyams	Dr Napthine	(Polwarth)	Mr Ryan
Mr Jasper	Mr Paterson	Mr Spry	Mr Treasure

And so it passed in the negative.

Question - That the Address be agreed to and be presented to His Excellency the Governor by Mr Speaker and the Members of the House - put and agreed to.

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

- Liquor Control (Amendment) Bill (No. 2)
- Business Franchise Acts (Amendment) Bill
- Transport Accident (General Amendment) Bill
- Como Project Bill
- Employee Relations (Amendment) Bill.

19 **PAPER** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

Totalizator Agency Board - Report for the year ended 31 July 1994.

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

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

And the House, at 6.56 p.m., adjourned until Tuesday, 29 November 1994.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos. 29, 30 and 31

No. 29 - Tuesday, 29 November 1994

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Metropolitan Ambulance Service** - Seeking that the budget cuts to the Metropolitan Ambulance Service be restored with a view to further increasing funding to cope with demand, bearing 843 signatures (*by Mr Thwaites*)
 - Nursing Home Residents** - Seeking that the House will not enact the Health Services (Amendment) Bill 1994 as it will jeopardise the care, welfare and human rights of residents in nursing homes, bearing 67 signatures (*by Ms Garbutt*)
 - Proposed City of Wyndham** - Seeking that the House recommends that the proposed new City of Wyndham be named City of Werribee, bearing 1,782 signatures (*by Dr Coghill*).Severally ordered to lie on the Table.
- 4 **HEALTH COMPUTING SERVICES** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Health Computing Services - Victoria Limited for the year 1993-94 (*Mrs Tehan*) - put and agreed to.
- 5 **PAPER** - Mrs Tehan presented:
 - Health Computing Services - Victoria Limited - Report for the year 1993-94 - Return to the foregoing Order.Ordered to lie on the Table.
- 6 **AUSTRALIAN FEDERALISM CONFERENCE** - Motion made, by leave, and question - That there be presented to this House a copy of the Report from the Scrutiny of Acts and Regulations Committee on the Australian Federalism Conference 1994 (*Dr Coghill*) - put and agreed to.
- 7 **PAPER** - Dr Coghill presented:
 - Report from the Scrutiny of Acts and Regulations Committee on the Australian Federalism Conference 1994 - Return to the foregoing Order.Ordered to lie on the Table.

8 SCRUTINY OF ACTS AND REGULATIONS COMMITTEE - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 14 of 1994 on the -

Business Franchise Acts (Amendment) Bill
 Courts (General Amendment) Bill
 Constitution (Amendment) Bill
 Queen Victoria Women's Centre Bill
 Melbourne Sports and Aquatic Centre Bill
 Vocational Education and Training (State Training Wage) Bill
 Gaming and Betting (Amendment) Bill
 Lotteries Gaming and Betting (General Amendment) Bill
 State Taxation (Amendment) Bill
 Public Sector Management (Amendment) Bill
 Subordinate Legislation Bill
 Office of the Regulator-General (Amendment) Bill
 Fire Authorities (Miscellaneous Amendments) Bill
 Constitution (Court of Appeal) Bill
 Ports Acts (Amendment) Bill
 Land Titles Validation Bill
 Crown Lands Acts (Amendment) Bill
 Therapeutic Goods (Victoria) Bill
 Domestic (Feral and Nuisance) Animals Bill
 Valuation of Land (Amendment) Bill
 Corrections (Amendment) Bill
 Victorian Plantations Corporation (Amendment) Bill
 Prostitution Control Bill
 Water Industry Bill
 Gas Industry Bill
 Superannuation Acts (Further Amendment) Bill
 Electricity Industry (Further Amendment) Bill
 Judicial Remuneration Tribunal Bill
 Planning Authorities Repeal Bill
 Melbourne City Link Authority Bill
 Casino (Management Agreement) (Amendment) Bill
 Livestock Disease Control Bill
 Project Development and Construction Management Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

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

Alexandra District Hospital - Report for the year 1993-94 (two papers)
 Alfred Group of Hospitals - Report for the year 1993-94
 Angliss Hospital - Report for the year 1993-94
 Anne Caudle Centre - Report for the year 1993-94
 Apollo Bay and District Memorial Hospital - Report for the year 1993-94
 Ararat and District Hospital - Report for the year 1993-94
 Arts, Sport and Tourism Department- Report for the year 1993-94
 Austin Hospital - Report for the year 1993-94 (three papers)

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- Bairnsdale Regional Health Service - Report for the year 1993-94
- Beeac and District Hospital - Report for the year 1993-94
- Benalla and District Memorial Hospital - Report for the year 1993-94
- Bendigo Hospital - Report for the year 1993-94
- Bethlehem Hospital Incorporated - Report for the year 1993-94
- Birregurra and District Community Hospital - Report for the year 1993-94
- Boort District Hospital - Report for the year 1993-94
- Box Hill Hospital - Report for the year 1993-94
- Bundoora Extended Care Centre - Report for the year 1993-94 (two papers)
- Burwood and District Community Hospital - Report for the year 1993-94
- Business and Employment Department - Report for the year 1993-94
- Camperdown District Hospital - Report for the year 1993-94
- Casterton Memorial Hospital - Report for the year 1993-94
- City of Melbourne Superannuation Fund Trustees - Report for the year 1993-94
- Club Keno Act 1993 - Communication from the Treasurer notifying the extension of time granted and reasons therefor for the tabling of the Totalizator Agency Board's Financial Statement in respect of Club Keno games for 1993-94
- Coal Mine Workers' Pensions Tribunal - Report for the year 1993-94
- Cobram District Hospital - Report for the year 1993-94
- Cohuna District Hospital and Cohuna Community Nursing Home - Report for the year 1993-94
- Colac District Hospital - Report for the year 1993-94
- Coleraine District Hospital and Aged Care Services - Report for the year 1993-94
- Corryong District Hospital - Report for the year 1993-94
- Creswick District Hospital - Report for the year 1993-94
- Dandenong Hospital - Report for the year 1993-94
- Daylesford District Hospital - Report for the year 1993-94
- Donald District Hospital and District Nursing Home - Report for the year 1993-94
- Dunmunkle Health Services - Report for the year 1993-94
- Echuca Regional Health - Report for the year 1993-94
- Edenhope and District Memorial Hospital - Report for the year 1993-94
- Elmore District Hospital - Report for the year 1993-94
- Fairfield Hospital - Report for the year 1993-94
- Geelong Hospital - Report for the year 1993-94
- Gippsland Base Hospital - Report for the year 1993-94
- Gippsland Southern Health Service - Report for the year 1993-94
- Glenview Community Care Incorporated - Report for the year 1993-94
- Goulburn Valley Base Hospital - Report for the year 1993-94 (two papers)
- Greyhound Racing Control Board - Report for the year 1993-94

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- Hamilton Base Hospital - Report for the year 1993-94 (two papers)
- Hampton Rehabilitation Hospital - Report for the year 1993-94
- Harness Racing Board - Report for the year 1993-94
- Healesville and District Hospital - Report for the year 1993-94
- Health Services Act 1988 - Report of the Community Visitors for the year 1993-94 -
Ordered to be printed
- Heathcote District Hospital - Report for the year 1993-94
- Heywood and District Memorial Hospital and the Sydney and Lynne Quayle Hostels for
the Aged - Report for the year 1993-94
- Hospitals Superannuation Board - Report for the year 1993-94
- Inglewood Hospital - Report for the year 1993-94
- Kaniva District Hospital - Report for the year 1993-94
- Kerang and District Hospital - Report for the year 1993-94
- Kilmore and District Hospital and Kilmore and District Nursing Home - Report for the
year 1993-94
- Kingston Centre - Report for the year 1993-94
- Koroit and District Memorial Hospital - Report for the year 1993-94
- Kyabram and District Memorial Community Hospital - Report for the year 1993-94
- Kyneton District Health Service - Report for the year 1993-94
- Latrobe Regional Hospital - Report for the year 1993-94
- Lorne Community Hospital and Nursing Home - Report for the year 1993-94
- Lyndoch, Warrnambool Incorporated - Report for the year 1993-94
- Macarthur and District Memorial Hospital - Report for the year 1993-94
- Maffra District Hospital and Maffra and District Extended Care Association - Report for
the year 1993-94
- Maldon Hospital - Report for the year 1993-94
- Manangatang and District Hospital - Report for the year 1993-94
- Mansfield District Hospital and Bentley Nursing Home - Report for the year 1993-94
- Maroondah Hospital - Report for the year 1993-94
- Maryborough District Health Service - Report for the year 1993-94
- Mental Health Act 1986 - Report of the Community Visitors for the year 1993-94
- Mildura Base Hospital - Report for the year 1993-94
- Monash Medical Centre - Report for the year 1993-94
- Mordialloc-Cheltenham Community Hospital - Report for the year 1993-94
- Mornington Peninsula Hospital - Report for the year 1993-94
- Mortlake District Hospital - Report for the year 1993-94
- Mount Eliza Centre - Report for the year 1993-94
- Murray Valley Citrus Marketing Board - Report for the year 1993-94
- Myrtleford District War Memorial Hospital - Report for the year 1993-94
- Nathalia District Hospital and Nursing Home - Report for the year 1993-94

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- National Crime Authority - Report for the year 1993-94
- Nhill Hospital - Report for the year 1993-94
- Numurkah and District War Memorial Hospital - Report for the year 1993-94
- O'Connell Family Centre (Grey Sisters) Incorporated - Report for the year 1993-94
- Omeo District Hospital - Report for the year 1993-94
- Orbost and District Hospital - Report for the year 1993-94
- Ouyen and District Hospital - Report for the year 1993-94
- Parliamentary Contributory Superannuation Fund - Report for the year 1993-94
- Penshurst and District Memorial Hospital - Report for the year 1993-94
- Peter MacCallum Cancer Institute - Report for the year 1993-94
- Pharmacy Board of Victoria - Report for the period ended 30 June 1994
- Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
- Alberton Planning Scheme - No. L38
 - All Planning Schemes - No. S26
 - Bacchus Marsh Planning Scheme - No. L39
 - Bairnsdale (City) Planning Scheme - No. L39
 - Bairnsdale (Shire) Planning Scheme - Nos. L36, L49
 - Box Hill Planning Scheme - No. L21
 - Caulfield Planning Scheme - No. L32
 - Cranbourne Planning Scheme - No. L33
 - Dandenong Planning Scheme - Nos. L29, L38
 - Deakin Planning Scheme - No. L30
 - Diamond Valley Planning Scheme - No. L39 Part 1
 - Doncaster and Templestowe Planning Scheme - No. L78
 - Essendon Planning Scheme - No. L49
 - Frankston Planning Scheme - No. L55
 - Hastings Planning Scheme - No. L21
 - Karkaroc Planning Scheme - No. L3
 - Keilor Planning Scheme - Nos. L40, L63, L81
 - Lowan Planning Scheme - No. L11
 - Melbourne Planning Scheme - Nos. L128 Part 1, L150
 - Melton Planning Scheme - No. L44
 - Metropolitan Region Planning Schemes - Nos. R119, RL155
 - Mildura City Planning Scheme - No. L42
 - Morwell Planning Scheme - Nos. L31, L38
 - Myrtleford Planning Scheme - No. L31
 - Narracan Planning Scheme - No. L39
 - Nathalia Planning Scheme - No. L6
 - Oxley Planning Scheme - No. L11
 - Pakenham Planning Scheme - No. L71
 - Port Melbourne Planning Scheme - No. L10
 - Rochester Planning Scheme - No. L12
 - Rodney Planning Scheme - No. L61
 - Rutherglen Planning Scheme - No. L6
 - Shepparton City Planning Scheme - No. L53
 - Shepparton Shire Planning Scheme - No. L65
 - South Melbourne Planning Scheme - Nos. L80, L93
 - Springvale Planning Scheme - No. L81

Tambo Planning Scheme - No. L63
 Upper Yarra Planning Scheme - No. L34
 Whittlesea Planning Scheme - No. L96
 Wodonga Planning Scheme - No. L71

Police Regulation Act 1958 - Reports of the Investigation into alleged excessive force by the Victoria Police against demonstrators at the Richmond Secondary College on Monday, 13 December 1993 and investigation into crowd control methods against demonstrators outside the Department of Conservation and Natural Resources Headquarters Victoria Parade, East Melbourne on Thursday, 10 February 1994 - Ordered to be printed

Port Fairy Hospital - Report for the year 1993-94

Portland and District Hospital - Report for the year 1993-94 (two papers)

Preston and Northcote Community Hospital - Report for the year 1993-94

Queen Elizabeth Centre Ballarat - Report for the year 1993-94 (two papers)

Ripon Peace Memorial Hospital Beaufort - Report for the year 1993-94

Rochester and District War Memorial Hospital and Nursing Home - Report for the period ended 31 October 1993.

Rochester and Elmore District Health Service and Rochester and District Nursing Home (Inc.) - Report for the period ended 30 June 1994

Royal District Nursing Service - Report for the year 1993-94 (two papers)

Royal Victorian Eye and Ear Hospital - Report for the year 1993-94

St Arnaud District Hospital - Report for the year 1993-94

St George's Hospital and Inner Eastern Geriatric Service - Report for the year 1993-94

St Vincent's Hospital Melbourne - Report for the year 1993-94

Sandringham and District Memorial Hospital - Report for the year 1993-94 (two papers)

Seymour District Memorial Hospital - Report for the year 1993-94 (two papers)

Skipton and District Memorial Hospital - Report for the year 1993-94

South Gippsland Hospital - Report for the year 1993-94

Statutory rules under the following Acts:

Alpine Resorts Act 1983 - S.R. No. 176
 Corporations (Victoria) Act 1990 - S.R. No. 170
 Magistrates' Court Act 1989 - S.R. No. 181
 Metropolitan Fire Brigades Act 1958 - S.R. No. 174
 Optometrists Registration Act 1958 - S.R. No. 183
 State Electricity Commission Act 1958 - S.R. No. 173
 Supreme Court Act 1986 - S.R. Nos. 170, 171
 Transport Act 1983 - S.R. Nos. 177, 182
 Veterinary Surgeons Act 1958 - S.R. No. 180

Stawell District Hospital - Report for the year 1993-94

Swan Hill District Hospital - Report for the year 1993-94

Tallangatta Hospital - Report for the year 1993-94

Tawonga District General Hospital - Report for the year 1993-94

Terang and District (Norah Cosgrove) Community Hospital - Report for the year 1993-94

Timboon and District Hospital - Report for the year 1993-94

- Victoria Grants Commission - Report for the year ended 31 August 1994
- Victoria Police - Report for the year 1993-94
- Victorian Nursing Council - Report for the year 1993-94
- Victorian Strawberry Industry Development Committee - Report for the year 1993-94
- Victorian Superannuation Board - Report for the year 1993-94
- Wangaratta District Base Hospital and Nursing Home - Report for the year 1993-94 (two papers)
- Waranga Memorial Hospital - Report for the year 1993-94 (two papers)
- Warracknabeal District Hospital - Report for the year 1993-94
- Warrnambool and District Base Hospital - Report for the year 1993-94
- Water Act 1989 -
- Notification by the Minister of Natural Resources of the reasons for deciding to constitute the Lower Murray Region Authority to take over the whole of the property, rights, liabilities, obligations, powers and functions of the Swan Hill Water Board
 - Notification by the Minister of Natural Resources of the reasons for deciding to constitute the East Gippsland Region Water Authority to take over the whole of the property, rights, liabilities, obligations, powers and functions of the Mallacoota Water Board
 - Notification by the Minister of Natural Resources of the reasons for deciding to constitute the Kiewa-Murray Water Authority to take over the whole of the property, rights, liabilities, obligations, powers and functions of the Upper Murray Water Board and for the abolition of the Upper Murray Water Board
 - Notification by the Minister of Natural Resources of the reasons for deciding to constitute the Mid-Goulburn Regional Water Board to take over the whole of the property, rights, liabilities, obligations, powers and functions of the Pyalong Water Board and for the abolition of the Pyalong Water Board
- West Gippsland Hospital - Report for the year 1993-94
- Westernport Memorial Hospital- Report for the year 1993-94
- Willaura and District Hospital - Report for the year 1993-94
- Wimmera Base Hospital - Report for the year 1993-94
- Winchelsea and District Hospital - Report for the year 1993-94 (two papers)
- Wodonga District Hospital - Report for the year 1993-94
- Wonthaggi and District Hospital - Report for the year 1993-94
- Wycheproof District Hospital - Report for the year 1993-94
- Yarram and District Health Service - Report for the year 1993-94
- Yarrowonga District Hospital - Report for the year 1993-94 (two papers)
- Yea and District Memorial Hospital - Report for the year 1993-94.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 6 September 1994:

- Agriculture (Registered Occupations) Act 1994 - Sections 3 to 6 inclusive on 1 December 1994 (*Gazette No. G47, 24 November 1994*)
- Royal Agricultural Show-grounds (Amendment) Act 1994 - Sections 3 to 6 inclusive on 1 December 1994 (*Gazette No. G47, 24 November 1994*).

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

On 22 November 1994

Agricultural and Veterinary Chemicals (Victoria) Bill
 Como Project Bill
 Financial Management (Amendment) Bill
 Intellectually Disabled Persons' Services (Amendment) Bill
 Lotteries Gaming and Betting (Betting) Bill
 Road Safety (Further Amendment) Bill
 Therapeutic Goods (Victoria) Bill

On 29 November 1994

Business Franchise Acts (Amendment) Bill
 Domestic (Feral and Nuisance) Animals Bill
 Employee Relations (Amendment) Bill
 Liquor Control (Amendment) Bill (No. 2)
 Transport Accident (General Amendment) Bill.

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

Constitution (Court of Appeal) Bill
 Courts (General Amendment) Bill
 Electricity Industry (Further Amendment) Bill
 Fire Authorities (Miscellaneous Amendments) Bill
 Gaming and Betting (Amendment) Bill
 Gas Industry Bill
 Judicial Remuneration Tribunal Bill
 Land Tax (Amendment) Bill
 Land Titles Validation Bill
 Livestock Disease Control Bill
 Lotteries Gaming and Betting (General Amendment) Bill
 Melbourne City Link Authority Bill
 Melbourne Sports and Aquatic Centre Bill
 Ports Acts (Amendment) Bill
 Project Development and Construction Management Bill
 Queen Victoria Women's Centre Bill
 State Taxation (Amendment) Bill
 Superannuation Acts (Further Amendment) Bill
 Water Industry Bill.

- 12 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 11.00 p.m. on Thursday, 1 December 1994:

Impounding of Livestock Bill
 Gaming and Betting (Amendment) Bill
 Casino (Management Agreement) (Amendment) Bill
 Lotteries Gaming and Betting (General Amendment) Bill
 Vocational Education and Training (State Training Wage) Bill
 Queen Victoria Women's Centre Bill
 Electricity Industry (Further Amendment) Bill

Subordinate Legislation Bill
Project Development and Construction Management Bill
Planning Authorities Repeal Bill
Water Industry Bill

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

- 13 **IMPOUNDING OF LIVESTOCK BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the Bill without amendment.
- 14 **GAMING AND BETTING (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.
- 16 **LOTTERIES GAMING AND BETTING (GENERAL AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Transmitting a Bill for "*An Act to amend the 'Environment Effects Act 1978' and for other purposes*".
- 18 **ENVIRONMENT EFFECTS (AMENDMENT) BILL** - On the motion of Mr Coleman, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 19 **VOCATIONAL EDUCATION AND TRAINING (STATE TRAINING WAGE) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 20 **QUEEN VICTORIA WOMEN'S CENTRE BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

Motion made and question - That the sitting be continued (Mrs Wade) - put and agreed to.

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

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

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

- 21 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Health Services (Amendment) Bill without amendment.
- 22 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos 7 and 8, be postponed until later this day.
- 23 **ELECTRICITY INDUSTRY (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr Plowman (*Evelyn*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Debate resumed on question - That this Bill be now read a second time.
- Motion made, by leave, and question - That the debate be now adjourned and that he have leave to continue his speech when the matter is next before the House (*Mr Brumby*) - put, after debate, and agreed to.
- Ordered - That the debate be adjourned until tomorrow.
- 24 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Fisheries (Amendment) Bill without amendment.
- 25 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr McGrath, Wimmera*) - put and agreed to.
- 26 **ADJOURNMENT** - Motion made and question proposed - That the House do now adjourn (*Mr McGrath, Wimmera*) - and, after debate -
- And the House having continued to sit till after 12 midnight -
- WEDNESDAY, 30 NOVEMBER 1994
- Question - put and agreed to.
- And the House, at 12.10 a.m., adjourned until later this day.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 30 - Wednesday, 30 November 1994

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

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

Nursing Home Residents - Seeking that the House will not enact the Health Services (Amendment) Bill 1994 as it will jeopardise the care, welfare and human rights of residents in nursing homes, bearing 40 signatures (*by Mrs Wilson*).

Ordered to lie on the Table.

- 3 **MINISTERIAL PORTFOLIOS** - Motion made, by leave, and question - That there be presented to this House a copy of the Response by the Minister for Finance to the Auditor-General's Report on Ministerial Portfolios (May 1994) and Special Reports (July 1993 to June 1994) (*Mr Smith, Polwarth*) - put and agreed to.

- 4 **PAPER** - Mr Smith (*Polwarth*) presented:

Response by the Minister for Finance to the Auditor-General's Report on Ministerial Portfolios (May 1994) and Special Reports (July 1993 to June 1994) - Return to the foregoing Order.

Ordered to lie on the Table.

- 5 **ECONOMIC DEVELOPMENT COMMITTEE** - Mr Leighton brought up a Report from the Economic Development Committee upon the Inquiry into the Victorian Building and Construction Industry - Final Report and Report on the BLF Assets, together with a Bibliography and Appendices.

Ordered to lie on the Table and to be printed.

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

Advanced Dental Technicians Qualifications Board - Report for the year 1993-94

Albury-Wodonga Development Corporation - Report for the year 1993-94

Altona District Hospital - Report for the year 1993-94

Bacchus Marsh and Melton Memorial Hospital - Report for the year 1993-94

Ballarat Base Hospital - Report for the year 1993-94

Beechworth Hospital - Report for the year 1993-94

Bright District Hospital - Report for the year 1993-94

Caritas Christi Hospice Limited - Report for the year 1993-94

Clunes District Hospital - Report for the year 1993-94

Dental Technicians Licensing Committee - Report for the year 1993-94

Dimboola District Hospital - Report for the year 1993-94

Eastern Suburbs Geriatric Centre - Report for the year 1993-94

Lismore and District Hospital - Report for the year 1993-94

Mercy Public Hospitals Incorporated - Report for the year 1993-94 (two papers)

Mt Alexander Hospital - Report for the year 1993-94

Northern Victorian Fresh Tomato Industry Development Committee - Report for the year 1993-94

North West Hospital - Report for the year 1993-94

Police Regulation Act 1958 - Report of the Investigation into the Police Raid on the Commerce Club (Tasty Night Club) on Sunday 7 August 1994 - Ordered to be printed

Queen Elizabeth Centre - Report for the year 1993-94

Royal Children's Hospital - Report for the year 1993-94

Royal Dental Hospital of Melbourne - Report for the year 1993-94

Royal Melbourne Hospital - Report for the year 1993-94 (two papers)

Royal Women's Hospital - Report for the year 1993-94 (two papers)

Statutory Rules under the following Acts:

Children and Young Persons Act 1989 - S.R. No. 187

Meat Industry Act 1993 - S.R. No. 186

Prevention of Cruelty to Animals Act 1986 - S.R. No. 185

Racing Act 1958 - S.R. No. 189

Tweddle Child and Family Health Service - Report for the year 1993-94

Western Hospital - Report for the year 1993-94

Williamstown Hospital - Report for the year 1993-94

Yarra Bend Park Trust - Report for the year 1993-94.

- 7 **ADJOURNMENT MOTION - BED CLOSURES IN PUBLIC HOSPITALS** - Mr Thwaites proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

"The crisis in Victoria's public hospitals as a result of the announcement last week of massive bed closures at the Alfred Hospital and bed closures at city and country hospitals".

Mr Speaker having ascertained that twelve members approved of the proposed discussion -

Motion made and question - That the House do now adjourn (*Mr Thwaites*) - after debate, put.

The House divided.

AYES, 27

Mr Andrianopoulos
Mr Baker
Mr Batchelor
Mr Brumby
Dr Coghill
Mr Cole
Mr Cunningham
Mr Dollis

Ms Garbutt
Mr Haermeyer
Mr Hamilton
Mr Leighton
Mr Loney
Ms Marple
Mr Micallef
Mr Mildenhall

Mr Pandazopoulos
Mr Sandon
Mr Seitz
Mr Sercombe
Mr Sheehan
Mr Thomson
(*Pascoe Vale*)
Mr Thwaites

Dr Vaughan
Mrs Wilson

Tellers
Mr Bracks
Mr Carli

NOES, 56

Mr Ashley	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Bildstien	Mr Leigh	Mr Pescott	Mr Thompson
Mr Brown	Mr Lupton	Mrs Peulich	(Sandringham)
Mr Clark	Mr McArthur	Mr Phillips	Mr Traynor
Mr Coleman	Mrs McGill	Mr Plowman	Mr Treasure
Mr Cooper	Mr McGrath	(Benambra)	Mr Turner
Mr Davis	(Warrnambool)	Mr Plowman	Mrs Wade
Dr Dean	Mr McGrath	(Evelyn)	Mr Weideman
Mr Doyle	(Wimmera)	Mr Reynolds	Mr Wells
Mr Elder	Mr McLellan	Mr Richardson	
Mr Finn	(Frankston East)	Mr Rowe	
Mr Gude	Mr McNamara	Mr Ryan	
Mr Hayward	Mr Maclellan	Mr Smith	
Mr Heffernan	(Pakenham)	(Glen Waverley)	
Mr Hyams	Mr Maughan	Mr Smith	
Mr Jasper	Dr Napthine	(Polwarth)	Tellers
Mr Jenkins	Mr Paterson	Mr Spry	Mrs Elliott
Mr John	Mr Perrin	Mr Steggall	Mrs Henderson

And so it passed in the negative.

- 8 **VICTORIA'S FINANCES** - Motion made and question proposed - That this House congratulates the Government on the improvement in Victoria's finances which the Government has achieved since October 1992 (*Mr Perton*) - and, after debate -
- General Business having been interrupted at 2.00 p.m.
pursuant to Sessional Orders.*
- 9 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 10 **ELECTRICITY INDUSTRY (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Motion made and question - That the debate be now adjourned (*Mr Spry*) - put and agreed to.
- Ordered - That the debate be adjourned until tomorrow.
- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Borrowing Investment Powers (Public Transport Corporation) Bill without amendment.
- 12 **PLANNING AUTHORITIES REPEAL BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 10.00 p.m.
pursuant to Sessional Orders.*
- Motion made and question - That the sitting be continued (*Mr Maclellan, Pakenham*) - put and agreed to.
- Debate continued on question - That this Bill be now read a second time.
- Question - put.

The House divided.

AYES, 53

Mr Ashley	Mr John	Mr Perton	Mr Tanner
Mr Bildstien	Mr Kilgour	Mr Pescott	Mrs Tehan
Mr Brown	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Clark	Mr McArthur	Mr Phillips	(Sandringham)
Mr Coleman	Mrs McGill	Mr Plowman	Mr Traynor
Mr Cooper	Mr McGrath	(Benambra)	Mr Treasure
Mr Davis	(Wimmera)	Mr Reynolds	Mr Turner
Dr Dean	Mr McLellan	Mr Richardson	Mrs Wade
Mr Doyle	(Frankston East)	Mr Rowe	Mr Weideman
Mrs Elliott	Mr McNamara	Mr Ryan	Mr Wells
Mr Hayward	Mr Maclellan	Mr Smith	
Mr Heffernan	(Pakenham)	(Glen Waverley)	
Mrs Henderson	Mr Maughan	Mr Smith	
Mr Hyams	Dr Napthine	(Polwarth)	Tellers
Mr Jasper	Mr Paterson	Mr Spry	Mr Elder
Mr Jenkins	Mr Perrin	Mr Steggall	Mr Lupton

NOES, 26

Mr Andrianopoulos	Ms Garbutt	Mr Sandon	Mrs Wilson
Mr Baker	Mr Haermeyer	Mr Seitz	
Mr Batchelor	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Leighton	Mr Sheehan	
Dr Coghill	Mr Loney	Mr Thomson	Tellers
Mr Cole	Mr Micallef	(Pascoe Vale)	Mr Bracks
Mr Cunningham	Mr Mildenhall	Mr Thwaites	Mr Carli
Mr Dollis	Mr Pandazopoulos	Dr Vaughan	

And so it was resolved in the affirmative.

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

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

- 13 **SUBORDINATE LEGISLATION BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

Ordered - That the debate be adjourned until tomorrow.

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

Estate Agents (Amendment) Bill

Victorian Plantations Corporation (Amendment) Bill

Valuation of Land (Amendment) Bill

Land (Miscellaneous Matters) and National Tennis Centre (Amendment) Bill.

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

- 16 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 11.59 p.m., adjourned until tomorrow.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 31 - Thursday, 1 December 1994

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Human Rights Protection** - Seeking that the House moves to protect the Human Rights of its lesbian and gay constituents and citizens, as recommended by the Scrutiny of Acts and Regulations Committee, by amending the *Equal Opportunity Act 1984* to prohibit discrimination on the grounds of a person's sexuality, bearing 72, 15 and 29 signatures (*by Mr Tanner, Mrs Elliott and Mr Leigh, respectively*).Severally ordered to lie on the Table.
- 3 **TASK FORCE VICTOR** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of Task Force Victor - Police Shootings A Question of Balance, 21 October 1994 (*Mr McNamara*) - put and agreed to.
- 4 **PAPER** - Mr McNamara presented:
 - Task Force Victor - Police Shootings A Question of Balance, 21 October 1994 - Return to the foregoing Order.Ordered to lie on the Table and to be printed.
- 5 **WOMEN'S BUDGET**- Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Women's Budget for the year 1994-95 (*Mrs Wade*) - put and agreed to.
- 6 **PAPER** - Mrs Wade presented:
 - Women's Budget - Report for the year 1994-95 - Return to the foregoing Order.Ordered to lie on the Table.
- 7 **PAPERS** -
 - Mr Speaker presented -
 - BLF (De-recognition) Act 1985 - Twenty-ninth Report of the Custodian.Ordered to lie on the Table and to be printed.

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

National Tennis Centre Trust - Report for the year 1993-94

Victorian Arts - Report of the Council and the Ministry for the year 1993-94.

- 8 **ENVIRONMENT EFFECTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).

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

Ordered - That the debate be adjourned until Thursday, 8 December 1994.

- 9 **SUBORDINATE LEGISLATION BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

- 10 **WATER INDUSTRY BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

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

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

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

- 12 **WATER INDUSTRY BILL** - Debate continued on question - That this Bill be now read a second time.

Question - put.

The House divided.

AYES, 54

Mr Ashley
Mr Bildstien
Mr Brown
Mr Clark
Mr Coleman
Mr Cooper
Mr Davis
Dr Dean
Mr Elder
Mrs Elliott
Mr Finn
Mr Gude
Mr Hayward
Mr Heffernan
Mrs Henderson
Mr Hyams

Mr Jasper
Mr Jenkins
Mr John
Mr Kilgour
Mr Leigh
Mr Lupton
Mrs McGill
Mr McGrath
(*Warrnambool*)
Mr McGrath
(*Wimmera*)
Mr McLellan
(*Frankston East*)
Mr McNamara
Mr Maughan
Dr Napthine

Mr Paterson
Mr Perrin
Mr Perton
Mr Pescott
Mrs Peulich
Mr Phillips
Mr Plowman
(*Benambra*)
Mr Plowman
(*Evelyn*)
Mr Reynolds
Mr Richardson
Mr Rowe
Mr Ryan
Mr Smith
(*Glen Waverley*)

Mr Smith
(*Polwarth*)
Mr Spry
Mr Steggall
Mr Tanner
Mr Thompson
(*Sandringham*)
Mr Traynor
Mr Turner
Mrs Wade
Mr Weideman
Mr Wells

Tellers
Mr McArthur
Mr Treasure

NOES, 24

Mr Andrianopoulos	Mr Haermeyer	Mr Pandazopoulos	Dr Vaughan
Mr Baker	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Seitz	
Dr Coghill	Mr Loney	Mr Sercombe	
Mr Cole	Ms Marple	Mr Sheehan	<i>Tellers</i>
Mr Cunningham	Mr Micallef	Mr Thomson	Mr Bracks
Ms Garbutt	Mr Mildenhall	(<i>Pascoe Vale</i>)	Mr Carli

And so it was resolved in the affirmative.

Bill read a second time and committed; considered in Committee.

Committee reported progress; to sit again later this day.

- 13 CASINO (MANAGEMENT AGREEMENT) (AMENDMENT) BILL - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Question - put.

The House divided.

AYES, 50

Mr Ashley	Mr John	Mr Pescott	Mr Tanner
Mr Bildstien	Mr Kilgour	Mrs Peulich	Mr Thompson
Mr Brown	Mr Leigh	Mr Phillips	(<i>Sandringham</i>)
Mr Clark	Mr Lupton	Mr Plowman	Mr Traynor
Mr Cooper	Mr McArthur	(<i>Benambra</i>)	Mr Treasure
Mr Davis	Mrs McGill	Mr Plowman	Mr Turner
Dr Dean	Mr McLellan	(<i>Evelyn</i>)	Mrs Wade
Mr Doyle	(<i>Frankston East</i>)	Mr Richardson	
Mr Elder	Mr McNamara	Mr Rowe	
Mrs Elliott	Mr Maclellan	Mr Ryan	
Mr Gude	(<i>Pakenham</i>)	Mr Smith	
Mr Hayward	Mr Maughan	(<i>Glen Waverley</i>)	
Mr Heffernan	Dr Napthine	Mr Smith	
Mrs Henderson	Mr Paterson	(<i>Polwarth</i>)	<i>Tellers</i>
Mr Hyams	Mr Perrin	Mr Spry	Mr Finn
Mr Jenkins	Mr Perton	Mr Steggall	Mr Weideman

NOES, 25

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Pandazopoulos	Dr Vaughan
Mr Batchelor	Mr Haermeyer	Mr Seitz	Mrs Wilson
Mr Brumby	Mr Hamilton	Mr Sercombe	
Dr Coghill	Mr Leighton	Mr Sheehan	<i>Tellers</i>
Mr Cole	Mr Loney	Mr Thomson	Mr Bracks
Mr Cunningham	Ms Marple	(<i>Pascoe Vale</i>)	Mr Carli

And so it was resolved in the affirmative.

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

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

- 14 **PROJECT DEVELOPMENT AND CONSTRUCTION MANAGEMENT BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to include in the Bill stated standards of building construction, tendering, audit, quality assurance and other matters relating to public construction after the Minister has consulted with all interested parties involved with public construction" (*Mr Leighton*).

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

The House divided.

AYES, 50

Mr Ashley	Mr Jenkins	Mr Pescott	Mr Steggall
Mr Bildstien	Mr John	Mrs Peulich	Mr Tanner
Mr Brown	Mr Kilgour	Mr Phillips	Mr Thompson
Mr Clark	Mr Leigh	Mr Plowman	(<i>Sandringham</i>)
Mr Cooper	Mr Lupton	(<i>Benambra</i>)	Mr Traynor
Mr Davis	Mr McArthur	Mr Plowman	Mr Treasure
Dr Dean	Mrs McGill	(<i>Evelyn</i>)	Mr Turner
Mr Doyle	Mr McNamara	Mr Richardson	Mrs Wade
Mr Elder	Mr Maclellan	Mr Rowe	Mr Weideman
Mrs Elliott	(<i>Pakenham</i>)	Mr Ryan	
Mr Finn	Mr Maughan	Mr Smith	
Mr Gude	Dr Napthine	(<i>Glen Waverley</i>)	<i>Tellers</i>
Mr Hayward	Mr Paterson	Mr Smith	Mrs Henderson
Mr Heffernan	Mr Perrin	(<i>Polwarth</i>)	Mr McLellan
Mr Hyams	Mr Perton	Mr Spry	(<i>Frankston East</i>)

NOES, 24

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Pandazopoulos	Mrs Wilson
Mr Batchelor	Mr Haermeyer	Mr Seitz	
Mr Brumby	Mr Hamilton	Mr Sercombe	
Dr Coghill	Mr Leighton	Mr Sheehan	<i>Tellers</i>
Mr Cole	Mr Loney	Mr Thomson	Mr Bracks
Mr Cunningham	Ms Marple	(<i>Pascoe Vale</i>)	Mr Carli

And so it was resolved in the affirmative.

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 29 November 1994 had expired.

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

The House divided.

AYES, 50

Mr Ashley	Mr John	Mr Perton	Mr Spry
Mr Bildstien	Mr Kilgour	Mr Pescott	Mr Steggall
Mr Brown	Mr Leigh	Mrs Peulich	Mr Tanner
Mr Clark	Mr Lupton	Mr Phillips	Mr Thompson
Mr Cooper	Mr McArthur	Mr Plowman	(Sandringham)
Mr Davis	Mrs McGill	(Benambra)	Mr Traynor
Mr Elder	Mr McLellan	Mr Plowman	Mr Treasure
Mrs Elliott	(Frankston East)	(Evelyn)	Mr Turner
Mr Finn	Mr McNamara	Mr Richardson	Mrs Wade
Mr Gude	Mr Maclellan	Mr Rowe	Mr Weideman
Mr Hayward	(Pakenham)	Mr Ryan	
Mr Heffernan	Mr Maughan	Mr Smith	
Mrs Henderson	Dr Napthine	(Glen Waverley)	Tellers
Mr Hyams	Mr Paterson	Mr Smith	Dr Dean
Mr Jenkins	Mr Perrin	(Polwarth)	Mr Doyle

NOES, 24

Mr Baker	Mr Dollis	Mr Mildenhall	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Pandazopoulos	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mr Seitz	
Mr Brumby	Mr Hamilton	Mr Sercombe	
Mr Carli	Mr Leighton	Mr Sheehan	Tellers
Dr Coghill	Mr Loney	Mr Thomson	Mr Andrianopoulos
Mr Cole	Ms Marple	(Pascoe Vale)	Mr Cunningham

And so it was resolved in the affirmative.

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

Question - That this Bill be now read a second time, Government amendments Nos. 1 to 4 inclusive be agreed to, the Bill be read a third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put.

The House divided.

AYES, 51

Mr Ashley	Mr Kilgour	Mrs Peulich	Mr Tanner
Mr Bildstien	Mr Leigh	Mr Phillips	Mr Thompson
Mr Brown	Mr Lupton	Mr Plowman	(Sandringham)
Mr Clark	Mr McArthur	(Benambra)	Mr Traynor
Mr Cooper	Mrs McGill	Mr Plowman	Mr Treasure
Dr Dean	Mr McLellan	(Evelyn)	Mr Turner
Mr Doyle	(Frankston East)	Mr Reynolds	Mrs Wade
Mr Elder	Mr McNamara	Mr Richardson	Mr Weideman
Mrs Elliott	Mr Maclellan	Mr Rowe	
Mr Finn	(Pakenham)	Mr Ryan	
Mr Gude	Mr Maughan	Mr Smith	
Mr Hayward	Dr Napthine	(Glen Waverley)	
Mr Heffernan	Mr Paterson	Mr Smith	Tellers
Mrs Henderson	Mr Perrin	(Polwarth)	Mr Davis
Mr Jenkins	Mr Perton	Mr Spry	Mr Hyams
Mr John	Mr Pescott	Mr Steggall	

NOES, 25

Mr Andrianopoulos	Mr Cunningham	Mr Sandon	
Mr Baker	Mr Dollis	Mr Seitz	
Mr Batchelor	Ms Garbutt	Mr Sercombe	
Mr Bracks	Mr Hamilton	Mr Sheehan	
Mr Brumby	Mr Leighton	Mr Thomson	
Mr Carli	Mr Loney	(Pascoe Vale)	Tellers
Dr Coghill	Ms Marple	Mr Thwaites	Mr Haermeyer
Mr Cole	Mr Pandazopoulos	Mrs Wilson	Mr Mildenhall

And so it was resolved in the affirmative.

- 16 **WATER INDUSTRY BILL** - Further considered in Committee and reported with amendments.
 Question - That the report of the Committee be taken into consideration forthwith, the House agree to the amendments made by the Committee, this Bill be now read a third time and the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.
- 17 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.

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

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

FRIDAY, 2 DECEMBER 1994

Question - put and agreed to.

And the House, at 12.09 a.m., adjourned until Tuesday, 6 December 1994.

J.G. LITTLE

Clerk of the Legislative Assembly

JOHN E. DELZOPPO

Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos. 32, 33 and 34

No. 32 - Tuesday, 6 December 1994

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Nursing Home Residents** - Seeking that the House will not enact the Health Services (Amendment) Bill 1994 as it will jeopardise the care, welfare and human rights of residents in nursing homes, bearing 84 signatures (*by Mrs Wilson*)
 - Funding for Government Primary and Secondary Schools** - Seeking that adequate funding be restored to Government primary and secondary schools to ensure equal access to quality education for young Victorians, bearing 573 signatures (*by Mr Mildenhall*)
 - Malvern Symphony Orchestra** - Seeking that the Minister for the Arts reviews the decision by the Music Panel and offers the Malvern Symphony Orchestra assistance for its 1995 series which will enable it to perform its important role in Victoria's musical life, bearing 265 signatures (*by Mr Doyle*)
 - SEC Service Charge** - Seeking that the Government intervene with the State Electricity Commission to rescind the SEC Service Charge, bearing 250 signatures (*by Mr Thomson, Pascoe Vale*)
 - Macedon Ranges Municipality** - Seeking that Sunbury be included in a Macedon Ranges Municipality, bearing 421 signatures (*by Mr Finn*).Severally ordered to lie on the Table.
- 4 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Weideman, Chairman, brought up a Report from the Public Accounts and Estimates Committee upon the 1993-94 Budget Estimates and Outcomes, together with Appendices.
Ordered to lie on the Table and to be printed.
- 5 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee on Subordinate Legislation concerning Statutory Rules Series 1993, together with Appendices.
Ordered to lie on the Table and to be printed.
- 6 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Fair Trading - Report of the Office of Fair Trading and Business Affairs for the year 1993-94 - Ordered to be printed

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

- Bairnsdale (Shire) Planning Scheme - No. L43
- Ballarat (Shire) Planning Scheme - No. L33
- Gisborne Planning Scheme - No. L23
- Hawthorn Planning Scheme - No. L25
- Healesville Planning Scheme - No. L49
- Korumburra Planning Scheme - Nos. L51, L55
- Kyneton Planning Scheme - No. L5
- Lillydale Planning Scheme - No. L143
- McIvor Planning Scheme - No. L18
- Moe Planning Scheme - No. L31
- Moorabbin Planning Scheme - No. L46
- Newham and Woodend Planning Scheme - No. L31
- Phillip Island Planning Scheme - No. L54
- Sandringham Planning Scheme - No. L14
- Shepparton Shire Planning Scheme - No. L69
- South Melbourne Planning Scheme - No. L92
- Sunshine Planning Scheme - No. L78
- Werribee Planning Scheme - No. L73
- Williamstown Planning Scheme - No. L33

Statutory Rules under the following Acts:

- Dried Fruits Act 1958 - S.R. No. 184
- Land Tax Act 1958 - S.R. No. 190
- Physiotherapists Act 1978 - S.R. No. 188

South Gippsland Water Board - Report for the year 1993-94, together with an explanation for the delay in tabling

Stawell Water Board - Report for the year 1993-94, together with an explanation for the delay in tabling.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 6 September 1994:

- Control of Weapons (Amendment) Act 1994 - Whole Act (except section 2) on 30 November 1994 (*Gazette No. S92, 30 November 1994*)
- Lotteries Gaming and Betting (Betting) Act 1994 - Sections 3, 4, 5 and 6 on 1 December 1994 (*Gazette No. G48, 1 December 1994*).

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

- Borrowing and Investment Powers (Public Transport Corporation) Bill
- Estate Agents (Amendment) Bill
- Fisheries (Amendment) Bill
- Health Services (Amendment) Bill
- Impounding of Livestock Bill
- Land (Miscellaneous Matters) and National Tennis Centre (Amendment) Bill
- Valuation of Land (Amendment) Bill
- Victorian Plantations Corporation (Amendment) Bill.

- 8 **GOVERNMENT BUSINESS PROGRAMME** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 11.00 p.m. on Thursday, 8 December 1994:

Gas Industry Bill
 Superannuation Acts (Further Amendment) Bill
 Melbourne Sports and Aquatic Centre Bill
 Classification of Films and Publications (Amendment) Bill
 Land Tax (Amendment) Bill
 Constitution (Amendment) Bill
 Livestock Disease Control Bill
 State Taxation (Amendment) Bill
 Constitution (Court of Appeal) Bill
 Melbourne City Link Authority Bill
 Land Titles Validation Bill
 University Acts (Amendment) Bill
 Environment Effects (Amendment) Bill

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

- 9 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until tomorrow at 11.00 a.m. (*Mr McGrath, Wimmera*) - put and agreed to.
- 10 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos 1 to 11 inclusive, be postponed until later this day.
- 11 **GAS INDUSTRY BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Plowman (*Evelyn*) announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment circulated.

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

Question - put.

The House divided.

AYES, 52

Mr Ashley	Mr John	Mr Paterson	Mr Stockdale
Mr Brown	Mr Kennett	Mr Perrin	Mr Tanner
Mr Clark	Mr Kilgour	Mrs Peulich	Mrs Tehan
Mr Coleman	Mr Leigh	Mr Phillips	Mr Thompson
Mr Cooper	Mr Lupton	Mr Plowman	(<i>Sandringham</i>)
Mr Davis	Mr McArthur	(<i>Evelyn</i>)	Mr Turner
Dr Dean	Mrs McGill	Mr Reynolds	Mrs Wade
Mr Doyle	Mr McGrath	Mr Richardson	Mr Weideman
Mr Elder	(<i>Warrnambool</i>)	Mr Rowe	Mr Wells
Mr Finn	Mr McGrath	Mr Ryan	
Mr Hayward	(<i>Wimmera</i>)	Mr Smith	
Mr Heffernan	Mr McLellan	(<i>Glen Waverley</i>)	
Mrs Henderson	(<i>Frankston East</i>)	Mr Smith	
Mr Honeywood	Mr McNamara	(<i>Polwarth</i>)	<i>Tellers</i>
Mr Hyams	Mr Maughan	Mr Spry	Mr Traynor
Mr Jenkins	Dr Napthine	Mr Steggall	Mr Treasure

NOES, 23

Mr Andrianopoulos	Mr Haermeyer	Mr Sandon	Mrs Wilson
Mr Baker	Mr Hamilton	Mr Seitz	
Mr Batchelor	Mr Leighton	Mr Sercombe	
Dr Coghill	Mr Loney	Mr Thomson	
Mr Cole	Mr Micallef	(<i>Pascoe Vale</i>)	<i>Tellers</i>
Mr Cunningham	Mr Mildenhall	Mr Thwaites	Mr Bracks
Mr Dollis	Mr Pandazopoulos	Dr Vaughan	Mr Carli

And so it was resolved in the affirmative.

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

Motion made and question - That this Bill be now read a third time (*Mr Plowman, Evelyn*) - put.

The House divided.

AYES, 50

Mr Ashley	Mr Jenkins	Mr Perrin	Mr Stockdale
Mr Brown	Mr John	Mrs Peulich	Mr Tanner
Mr Clark	Mr Kilgour	Mr Phillips	Mrs Tehan
Mr Coleman	Mr Leigh	Mr Plowman	Mr Thompson
Mr Cooper	Mr Lupton	(<i>Evelyn</i>)	(<i>Sandringham</i>)
Mr Davis	Mr McArthur	Mr Reynolds	Mr Traynor
Dr Dean	Mr McGrath	Mr Richardson	Mr Treasure
Mr Doyle	(<i>Warrnambool</i>)	Mr Rowe	Mr Turner
Mr Elder	Mr McGrath	Mr Ryan	Mrs Wade
Mr Finn	(<i>Wimmera</i>)	Mr Smith	Mr Weideman
Mr Hayward	Mr McLellan	(<i>Glen Waverley</i>)	
Mr Heffernan	(<i>Frankston East</i>)	Mr Smith	<i>Tellers</i>
Mrs Henderson	Mr Maughan	(<i>Polwarth</i>)	Mrs McGill
Mr Honeywood	Dr Napthine	Mr Spry	Mr Wells
Mr Hyams	Mr Paterson	Mr Steggall	

NOES, 23

Mr Baker	Mr Dollis	Mr Sandon	Mrs Wilson
Mr Batchelor	Mr Haermeyer	Mr Seitz	
Mr Bracks	Mr Hamilton	Mr Sercombe	
Mr Carli	Mr Leighton	Mr Thomson	<i>Tellers</i>
Dr Coghill	Mr Loney	(<i>Pascoe Vale</i>)	Mr Andrianopoulos
Mr Cole	Mr Micallef	Mr Thwaites	Mr Pandazopoulos
Mr Cunningham	Mr Mildenhall	Dr Vaughan	

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

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

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

Pursuant to Sessional Orders, Mr Smith (*Polwarth*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

Debate resumed on question - That this Bill be now read a second time; Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.

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

- 14 **MELBOURNE SPORTS AND AQUATIC CENTRE BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

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

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

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

concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

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

15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Crown Lands Acts (Amendment) Bill without amendment.

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

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

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

WEDNESDAY, 7 DECEMBER 1994

Question - put and agreed to.

And the House, at 12.08 a.m., adjourned until later this day.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 33 - Wednesday, 7 December 1994

1 Mr Speaker took the Chair and read the Prayer.

2 **PRESENTATION OF ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR** - Mr Speaker reported that, as directed by the House, he had, that day, presented to His Excellency the Governor the Address of the Legislative Assembly in reply to the Speech of His Excellency on the Opening of the Parliament.

His Excellency was pleased to make the following Reply:

Mr Speaker and Members of the Legislative Assembly:

In the name and on behalf of Her Majesty The Queen I thank you for your expressions of loyalty to our Most Gracious Sovereign contained in the address you have just presented to me.

I fully rely on your wisdom in deliberating upon the important measures to be brought under your consideration, and I earnestly hope that the results of your labours will be conducive to the advancement and prosperity of this State.

R. E. McGARVIE
Governor of Victoria

Melbourne 7 December 1994

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

Tullamarine Freeway - Seeking that the Minister for Roads - (a) directs that an Environmental Effects Statement be carried out as a matter of urgency in relation to the Tullamarine Freeway and its proposed widening or extension; and (b) that consultation takes place with the Commissioners of the City of Moreland, the Councillors of the City of Essendon and members of the community in these areas, bearing 174 signatures (*by Mr Carli*)

Terminal Gate Pricing - Seeking that the Government support the introduction of a system of terminal gate pricing as recommended by the Victorian Coalition Back Bench Petrol Pricing Committee, bearing 26 signatures (*by Mr Treasure*)

Macedon Ranges Municipality - Seeking that Sunbury be included in a Macedon Ranges Municipality, bearing 418 signatures (*by Mr Finn*).

Severally ordered to lie on the Table.

- 4 **FARROW GROUP INQUIRY** - Motion made, by leave, and question - That there be presented to this House an edited copy of the Final Report of D.J. Habersberger, Q. C., on the Farrow Group Inquiry dated 10 October 1994, Volumes 1 to 10 (*Mrs Wade*) - put and agreed to.

- 5 **PAPER** - Mrs Wade presented:

Edited Final Report of D.J. Habersberger, Q. C., on the Farrow Group Inquiry dated 10 October 1994, Volumes 1 to 10 (four papers) - Return to the foregoing Order.

Ordered to lie on the Table and to be printed.

- 6 **PAPERS** - Mrs Wade presented by Command of His Excellency the Governor:

Supreme Court Judges - Addendum to the Report for the year 1993

Ordered to lie on the Table.

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

Dietitians Board of Victoria - Report for the year 1993-94

Land Acquisition and Compensation Act 1986 - Certificate pursuant to section 7 (1) (c)

Land Protection Council - Report for the year 1993-94

Parliamentary Committees Act 1968 - Response from the Attorney-General on the action taken with respect to the recommendations made by the Economic Development Committee's Second Report upon the Inquiry into the Victoria Building and Construction Industry - Evidentiary Powers of Parliamentary Committees

Public Prosecutions - Report of the Director for the year 1993-94

Victorian Electricity Industry Superannuation Fund - Report for the year 1993-94.

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

Local Government (Amendment) Bill
Corrections (Amendment) Bill.

- 8 **EMPLOYMENT AGREEMENTS** - Motion made and question proposed - That this House calls on the Government to amend the *Employee Relations Act 1992* to - (a) provide for the independent scrutiny of individual and collective employment agreements as recommended by the President of the Employee Relations Commission in her 1993 Annual Report; (b) give the Employee Relations Commission the power to intervene and vary employment agreements where it is established they breach minimum standards or are otherwise unfair, as recommended by the Commission President in her 1993 Annual Report; and (c) provide for pro-rata annual leave and sick leave as a minimum entitlement under Schedule 1 of the Act (*Mr Thomson, Pascoe Vale*) - and, after debate -
- General Business having been interrupted at 2.00 p.m.
pursuant to Sessional Orders.*
- 9 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- Motion made, by leave, and question proposed - That Question Time be extended to allow the Leader of the Opposition to ask a question of the Premier (*Mr Kennett*).
- Amendment proposed - That the following words be added to the question "and that Question Time be extended for a further 30 minutes" (*Mr Brumby*).
- Question - That the words proposed to be added be so added - put and agreed to.
- Question - That Question Time be extended to allow the Leader of the Opposition to ask a question of the Premier and that Question Time be extended for a further thirty minutes - put and agreed to.
- Questions - (Pursuant to Standing Order No. 124) - continued.
- 10 **COASTAL MANAGEMENT BILL** - Mr Coleman obtained leave, with Mr Gude, to bring in a Bill "to establish a Victorian Coastal and Bay Management Council, to provide for the establishment of Regional Coastal Boards, to provide for co-ordinated strategic planning and management for the Victorian coast and a co-ordinated approach to approvals for the use and development of coastal Crown land and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **NATIONAL ENVIRONMENT PROTECTION COUNCIL (VICTORIA) BILL** - Mr Coleman obtained leave, with Mr Gude, to bring in a Bill "to provide for the establishment of a National Environment Protection Council, to make consequential amendments to the 'Environment Protection Act 1970' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **SPORTS DRUG TESTING BILL** - Mr Reynolds obtained leave, with Mr Gude, to bring in a Bill "to enable the Australian Sports Drug Agency to carry out sports drug testing on State competitors, to confer related functions and powers on the Agency and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **STATUTE LAW REVISION BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "to revise the Statute Law of Victoria and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **DEFENCE RESERVES RE-EMPLOYMENT BILL** - Mr Gude obtained leave, with Mr Reynolds, to bring in a Bill "to protect the civilian employment of certain part-time members of the Reserve Forces, to continue the existing rights of certain discharged members of the Defence Force to preference in employment, to amend the 'Discharged Servicemen's Preference Act 1943' and for

other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

15 **CONSTITUTION (COURT OF APPEAL) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

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

Question - put.

The House divided.

AYES, 56

Mr Ashley	Mr John	Mr Perrin	Mr Steggall
Mr Brown	Mr Kennett	Mr Perton	Mr Stockdale
Mr Clark	Mr Kilgour	Mr Pescott	Mr Tanner
Mr Coleman	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Cooper	Mr Lupton	Mr Phillips	(Sandringham)
Mr Davis	Mr McArthur	Mr Plowman	Mr Traynor
Dr Dean	Mrs McGill	(Benambra)	Mr Treasure
Mr Elder	Mr McGrath	Mr Plowman	Mr Turner
Mrs Elliott	(Warrnambool)	(Evelyn)	Mrs Wade
Mr Finn	Mr McGrath	Mr Reynolds	Mr Weideman
Mr Gude	(Wimmera)	Mr Richardson	Mr Wells
Mr Heffernan	Mr McLellan	Mr Ryan	
Mrs Henderson	(Frankston East)	Mr Smith	
Mr Honeywood	Mr McNamara	(Glen Waverley)	
Mr Hyams	Mr Maughan	Mr Smith	Tellers
Mr Jasper	Dr Napthine	(Polwarth)	Mr Doyle
Mr Jenkins	Mr Paterson	Mr Spry	Mr Rowe

NOES, 25

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Haermeyer	Mr Sandon	Dr Vaughan
Mr Batchelor	Mr Hamilton	Mr Seitz	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Sercombe	
Dr Coghill	Mr Loney	Mr Sheehan	Tellers
Mr Cole	Ms Marple	Mr Thomson	Mr Carli
Mr Cunningham	Mr Micallef	(Pascoe Vale)	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

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

16 **LIVESTOCK DISEASE CONTROL BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative

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

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

- 17 **LAND TAX (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

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

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

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

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

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

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

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

Queen Victoria Women's Centre Bill
Vocational Education and Training (State Training Wage) Bill
Crimes (Amendment) Bill.

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

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted so as to - (a) resolve legal doubt concerning the authority of the Governor to reject the advice of the Premier or the Executive Council if the Premier appears to have lost the support of a majority of the Members of the Legislative Assembly and to provide that the Governor must give precedence to the advice of the Legislative Assembly; and (b) require the Governor, the Lieutenant-Governor, the Administrator, Members of the Legislative Council and Members of the Legislative Assembly to take an Oath or Affirmation of Allegiance to Australia instead of Her Majesty and Her Majesty's heirs and successors" (*Mr Brumby*).

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

Ordered - That the debate be adjourned until tomorrow.

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

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

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

THURSDAY, 8 DECEMBER 1994

Question - put and agreed to.

And the House, at 12.23 a.m., adjourned until later this day.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 34 - Thursday, 8 December 1994

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Rural Water Service Fee** - Seeking that the increased rural water service fee by the Coliban Water Board be revoked, bearing 1,126 signatures (*by Mr Turner*)
 - Macedon Ranges Municipality** - Seeking that Sunbury be included in a Macedon Ranges Municipality, bearing 597 signatures (*by Mr Finn*).Severally ordered to lie on the Table.
- 3 **LEGAL AID SERVICES** - Motion made, by leave, and question - That there be presented to this House a copy of the Review of the Delivery of Legal Aid Services in Victoria, November 1994 (*Mrs Wade*) - put and agreed to.
- 4 **PAPER** - Mrs Wade presented:
 - Review of the Delivery of Legal Aid Services in Victoria, November 1994 - Return to the foregoing Order.Ordered to lie on the Table and to be printed.
- 5 **ABORIGINAL DEATHS IN CUSTODY** - Motion made, by leave, and question - That there be presented to this House a copy of the Royal Commission into Aboriginal Deaths in Custody, Victorian Government 1993 Implementation Report (*Mr John*) - put and agreed to.
- 6 **PAPER** - Mr John presented:
 - Royal Commission into Aboriginal Deaths in Custody, Victorian Government 1993 Implementation Report - Return to the foregoing Order.Ordered to lie on the Table.
- 7 **CLIENT DEATHS, PROTECTIVE SERVICES** - Motion made, by leave, and question - That there be presented to this House a copy of the Report entitled Inquiries into Client Deaths, Protective Services - Annual Report 1994 (*Mr John*) - put and agreed to.

- 8 **PAPER** - Mr John presented:
 Report entitled *Inquiries into Client Deaths, Protective Services - Annual Report 1994 - Return to the foregoing Order.*
 Ordered to lie on the Table and to be printed.
- 9 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 Freedom of Information Act 1982 - Report of the Attorney-General on the operation of the Act for the year 1993-94
 Legal Profession Practice Act 1958 - Report of the Lay Observer to the Solicitors' Board and the Barristers Disciplinary Tribunal for the year 1993
 Parliamentary Committees Act 1968 - Response from the Minister for Energy and Minerals on the action taken with respect to the recommendations made by the Environment and Natural Resources Committee's Inquiry into Planning Issues for Extractive Industries
 Police Board of Victoria - Report for the year 1993-94
 Royal Botanic Gardens Board - Report for the year 1993-94, together with an explanation for the delay in tabling
 Trade Unions Act 1958 - Report of the Registrar for the year 1993.
- 10 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
 Prostitution Control Bill
 Gaming and Betting (Amendment) Bill.
- 11 **COASTAL MANAGEMENT BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).
 Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 22 December 1994.
- 12 **DEFENCE RESERVES RE-EMPLOYMENT BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).
 Motion made and question - That the debate be now adjourned (*Mr Micallef*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 22 December 1994.
- 13 **NATIONAL ENVIRONMENT PROTECTION COUNCIL (VICTORIA) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).
 Motion made and question - That the debate be now adjourned (*Mr Micallef*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 22 December 1994.
- 14 **SPORTS DRUG TESTING BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).

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

Ordered - That the debate be adjourned until Thursday, 22 December 1994.

- 15 **STATUTE LAW REVISION BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).

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

Ordered - That the debate be adjourned until Thursday, 22 December 1994.

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

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government has conducted extensive consultation with all interested parties and the Victorian community generally" (*Mr Brumby*).

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

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

- 18 **MELBOURNE CITY LINK AUTHORITY BILL** - Debate continued on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government has conducted extensive consultation with all interested parties and the Victorian community generally".

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

The House divided.

AYES, 54

Mr Ashley	Mr Jenkins	Mr Perton	Mr Stockdale
Mr Brown	Mr John	Mr Pescott	Mr Tanner
Mr Clark	Mr Kennett	Mrs Peulich	Mrs Tehan
Mr Coleman	Mr Kilgour	Mr Phillips	Mr Thompson
Mr Cooper	Mr Leigh	Mr Plowman	(<i>Sandringham</i>)
Mr Davis	Mr Lupton	(<i>Evelyn</i>)	Mr Treasure
Mr Doyle	Mr McArthur	Mr Reynolds	Mr Turner
Mr Elder	Mrs McGill	Mr Richardson	Mrs Wade
Mrs Elliott	Mr McGrath	Mr Rowe	Mr Weideman
Mr Finn	(<i>Warrnambool</i>)	Mr Ryan	Mr Wells
Mr Gude	Mr McLellan	Mr Smith	
Mr Hayward	(<i>Frankston East</i>)	(<i>Glen Waverley</i>)	
Mr Heffernan	Mr McNamara	Mr Smith	
Mrs Henderson	Dr Napthine	(<i>Polwarth</i>)	<i>Tellers</i>
Mr Hyams	Mr Paterson	Mr Spry	Dr Dean
Mr Jasper	Mr Perrin	Mr Steggall	Mr Traynor

NOES, 24

Mr Andrianopoulos	Mr Dollis	Mr Sandon	Dr Vaughan
Mr Baker	Mr Haermeyer	Mr Seitz	Mrs Wilson
Mr Batchelor	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Leighton	Mr Sheehan	
Dr Coghill	Mr Loney	Mr Thomson	<i>Tellers</i>
Mr Cole	Ms Marple	(<i>Pascoe Vale</i>)	Mr Carli
Mr Cunningham	Mr Pandazopoulos	Mr Thwaites	Mr Mildenhall

And so it was resolved in the affirmative.

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

The House divided.

AYES, 54

Mr Ashley	Mr Jenkins	Mr Perton	Mr Tanner
Mr Brown	Mr John	Mr Pescott	Mrs Tehan
Mr Clark	Mr Kennett	Mr Phillips	Mr Thompson
Mr Coleman	Mr Kilgour	Mr Plowman	(<i>Sandringham</i>)
Mr Cooper	Mr Leigh	(<i>Evelyn</i>)	Mr Traynor
Mr Davis	Mr Lupton	Mr Reynolds	Mr Treasure
Dr Dean	Mr McArthur	Mr Richardson	Mr Turner
Mr Doyle	Mrs McGill	Mr Rowe	Mrs Wade
Mr Elder	Mr McGrath	Mr Ryan	Mr Weideman
Mrs Elliott	(<i>Warrnambool</i>)	Mr Smith	Mr Wells
Mr Gude	Mr McLellan	(<i>Glen Waverley</i>)	
Mr Hayward	(<i>Frankston East</i>)	Mr Smith	
Mr Heffernan	Mr McNamara	(<i>Polwarth</i>)	
Mrs Henderson	Dr Napthine	Mr Spry	<i>Tellers</i>
Mr Hyams	Mr Paterson	Mr Steggall	Mr Finn
Mr Jasper	Mr Perrin	Mr Stockdale	Mrs Peulich

NOES, 24

Mr Andrianopoulos	Mr Dollis	Mr Sandon	Dr Vaughan
Mr Baker	Mr Haermeyer	Mr Seitz	Mrs Wilson
Mr Batchelor	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Leighton	Mr Sheehan	
Dr Coghill	Mr Loney	Mr Thomson	<i>Tellers</i>
Mr Cole	Ms Marple	(<i>Pascoe Vale</i>)	Mr Carli
Mr Cunningham	Mr Mildenhall	Mr Thwaites	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

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

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

- Emergency Management (Amendment) Bill
- Project Development and Construction Management Bill
- Casino (Management Agreement) (Amendment) Bill
- Lotteries Gaming and Betting (General Amendment) Bill

Subordinate Legislation Bill
Electricity Industry (Further Amendment) Bill.

- 20 **LAND TITLES VALIDATION BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Member named and suspended - The Honourable the Leader of the Opposition (*Mr Brumby*) having been named by Mr Speaker for reflecting on the Chair -

Motion made and question - That the Honourable the Leader of the Opposition (*Mr Brumby*) be suspended from the service of the House (*Mr Gude*) - put.

The House divided.

AYES, 46

Mr Ashley	Mr John	Mr Phillips	Mr Traynor
Mr Brown	Mr Kilgour	Mr Reynolds	Mr Treasure
Mr Clark	Mr Leigh	Mr Richardson	Mr Turner
Mr Coleman	Mr Lupton	Mr Rowe	Mrs Wade
Mr Cooper	Mr McArthur	Mr Ryan	Mr Weideman
Dr Dean	Mrs McGill	Mr Smith	Mr Wells
Mr Doyle	Mr McGrath	(<i>Glen Waverley</i>)	
Mr Elder	(<i>Warrnambool</i>)	Mr Smith	
Mr Finn	Mr McNamara	(<i>Polwarth</i>)	
Mr Gude	Mr Paterson	Mr Spry	
Mr Hayward	Mr Perrin	Mr Steggall	<i>Tellers</i>
Mrs Henderson	Mr Perton	Mr Tanner	Mr Davis
Mr Hyams	Mr Pescott	Mr Thompson	Mr McLellan
Mr Jasper	Mrs Peulich	(<i>Sandringham</i>)	(<i>Frankston East</i>)

NOES, 16

Mr Andrianopoulos	Mr Dollis	Mr Seitz	
Mr Batchelor	Mr Haermeyer	Mr Sercombe	
Mr Brumby	Mr Hamilton	Mr Sheehan	<i>Tellers</i>
Dr Coghill	Ms Marple	Mrs Wilson	Mr Bracks
Mr Cunningham	Mr Sandon		Mr Carli

And so it was resolved in the affirmative.

Thereupon Mr Brumby withdrew from the Chamber.

[Mr Speaker having left the Chair at 9.03 p.m. and resumed it at 9.40 p.m.]

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

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 6 December 1994 had expired.

Question - That the Bill be read a second time - put and agreed to.

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

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

Question - That this Bill be now read a second time and a third time and that a Message be sent to the Legislative Council acquainting them that the Legislative Assembly has agreed to the Bill without amendment - put and agreed to.

- 22 **CLASSIFICATION OF FILMS AND PUBLICATIONS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
 Question - That this Bill be now read a second time and a third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.
- 23 **CONSTITUTION (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted so as to - (a) resolve legal doubt concerning the authority of the Governor to reject the advice of the Premier or the Executive Council if the Premier appears to have lost the support of a majority of the Members of the Legislative Assembly and to provide that the Governor must give precedence to the advice of the Legislative Assembly; and (b) require the Governor, the Lieutenant-Governor, the Administrator, Members of the Legislative Council and Members of the Legislative Assembly to take an Oath or Affirmation of Allegiance to Australia instead of Her Majesty and Her Majesty's heirs and successors."
 Question - That the words proposed to be omitted stand part of the question - put and agreed to.
 Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
 Bill read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 24 **ENVIRONMENT EFFECTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
 Question - That this Bill be now read a second time and a third time and that a Message be sent to the Legislative Council acquainting them that the Legislative Assembly has agreed to the Bill without amendment - put and agreed to.
- 25 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified in writing to each member of the House (*Mr Gude*) - put, after debate, and agreed to.
- 26 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 27 **ADJOURNMENT** - Resolved - That the House do now adjourn.
 And the House, at 11.24 p.m., adjourned until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified in writing to each Member of the House.

J.G. LITTLE
 Clerk of the Legislative Assembly

JOHN E. DELZOPPO
 Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 35, 36 and 37

No. 35 - Tuesday, 28 February 1995

- 1 The House met pursuant to the terms of the resolution of 8 December 1994, Mr Speaker having fixed this day at Two o'clock as the time of meeting - Mr Speaker took the Chair and read the Prayer.
- 2 **DEATH OF HAYDEN WILSON BIRRELL, ESQUIRE** - Motion made and question - That this House expresses its sincere sorrow at the death of Hayden Wilson Birrell, Esquire, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Geelong from 1961 to 1976 and Geelong West from 1976 to 1982 (*Mr Kennett*) - put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 3 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 4 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Nursing Home Residents** - Seeking that the House will not enact the Health Services (Amendment) Bill 1994 as it will jeopardise the care, welfare and human rights of residents in nursing homes, bearing 56 signatures (*by Mrs Wilson*)
 - Powercor** - Seeking that the existing services and jobs provided by Powercor (a company owned by the State Government) be maintained in their existing form, bearing 1,592 signatures (*by Mr Mildenhall*)
 - Helimed Ambulance Helicopter** - Seeking that the House will not allow the Helimed Ambulance Helicopter to be discontinued nor allow a down grading of the type of helicopter used, bearing 1,344 signatures (*by Mr Ryan*)
 - Legal Protection for Homosexuals** - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 438 signatures (*by Mr Smith, Glen Waverley*)
 - Essendon Ambulance Service** - Seeking that the Minister for Health, in consultation with the residents and Essendon Council, review the decision to remove the Essendon Ambulance Service from Essendon to Keilor and identify a suitable site within the City of Essendon to base the Ambulance service, bearing 30 signatures (*by Mr Thomson, Pascoe Vale*)
 - Municipality of Moonee Valley** - Seeking that the Minister for Local Government recommends the retention of the name of Essendon for the expanded municipality, now called Moonee Valley, bearing 75 signatures (*by Mr Thomson, Pascoe Vale*).

Severally ordered to lie on the Table.

5 PAPERS -

Mr Speaker presented -

BLF (De-recognition) Act 1985 - Thirtieth Report of the Custodian

Ordered to lie on the Table and to be printed.

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

Alpine Resorts Commission - Report for the year ended 31 October 1994

Arts, Sport and Tourism Department - Report for the year 1993-94 (*in lieu of Report previously tabled*)

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

Drugs, Poisons and Controlled Substances (Carcinogenic Substances) (Amendment) Regulations 1994 (S.R. No. 218/1994)

Schedule 7 and Appendix M of the Standard for the Uniform Scheduling of Drugs and Poisons No. 8 together with Amendments Nos. 1, 2 and 3

Poisons Code

Notice regarding the amendment, commencement and availability of the Poisons Code

Eildon and District Community Hospital - Financial Statements for the period ended 16 December 1993

Employee Relations Commission - Report for the year ended 31 October 1994

Grace McKellar Centre - Report for the year 1993-94

Hopkins Region Water Authority (Warrnambool City Council - water and wastewater functions) - Report for the year 1993-94, together with an explanation for the delay in tabling

Infertility (Medical Procedures) Act 1984 - Report for the year 1993-94 by the Secretary, Department of Health and Community Services to the Minister for Health pursuant to S. 22(4)

Martial Arts Board - Report for the year 1993-94

Parliamentary Committees Act 1968 -

Response of the Premier on the action taken with respect to the recommendations made by the Public Accounts and Estimates Committee on the Performance Audit of the Auditor-General

Response of the Attorney-General on the action taken with respect to the recommendations made by the Law Reform Committee's Final Report on Restitution for Victims of Crime

Response of the Minister for Fair Trading on the action taken with respect to the recommendations made by the Law Reform Committee's First Report on the Law relating to Directors and Managers of Insolvent Corporations "Curbing the Phoenix Company"

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

Alberton Planning Scheme - No. L37

Alexandra Planning Scheme - No. L35

All Planning Schemes - Nos. R125, S38, S39
Ararat (City) Amalgamation Amendment
Avon Planning Scheme - No. L9
Bacchus Marsh Planning Scheme - No. L40 Part 1
Ballaarat (City) Planning Scheme - Nos. L45, L48, L49, L51
Ballan Planning Scheme - Nos. L12 Part 1, L13 Part 1
Ballarat (Shire) Planning Scheme - No. L34
Bass Planning Scheme - Nos. L31, L35
Berwick Planning Scheme - Nos. L70 Part 1, L71, L81
Broadmeadows Planning Scheme - Nos. L62, L64, L65
Bulla Planning Scheme - Nos. L73, L106
Buln Buln Planning Scheme - No. L39
Buninyong Planning Scheme - No. L52
Caulfield Planning Scheme - Nos. L28, L29
Cobram Planning Scheme - No. L18 Part 1
Collingwood Planning Scheme - Nos. L21, L26, L32
Corangamite Planning Scheme - No. L6
Cranbourne Planning Scheme - Nos. L90, L96, L98, L104, L107, L115
Croydon Planning Scheme - Nos. L69, L70
Dandenong Planning Scheme - No. L34
Deakin Planning Scheme - Nos. L31, L35
Diamond Valley Planning Scheme - Nos. L29, L37, L44
Doncaster and Templestowe Planning Scheme - Nos. L47, L55, L60, L66, L79
Echuca Planning Scheme - No. L23
Eltham Planning Scheme - No. L32
Euroa Planning Scheme - No. L24
Fitzroy Planning Scheme - No. L35
Flinders Planning Scheme - No. L119
Footscray Planning Scheme - No. L48
Frankston Planning Scheme - Nos. L21, L65
Greater Bendigo Planning Scheme - Nos. L3, L5, L12, L14, L16, L17, L22, L24
Greater Geelong Planning Scheme - Nos. L17, R55, R86, R93, R95, R98, R99, R100, R102, R104, RL29, RL110
Grenville Planning Scheme - No. L14
Hastings Planning Scheme - Nos. L24, L111
Hawthorn Planning Scheme - Nos. L20, L21, L22, L27
Healesville Planning Scheme - No. L52
Heidelberg Planning Scheme - No. L38
Heywood Planning Scheme - No. L12
Horsham Planning Scheme - Nos. L45, L51, L53, L54
Keilor Planning Scheme - Nos. L16, L80, L86
Kilmore Planning Scheme - No. L70
Knox Planning Scheme - Nos. L69, L71 Part 1, L71 Part 2, L76, L78, L80
Korong Planning Scheme - No. L2
Lillydale Planning Scheme - Nos. L137, L141, L147, L148
Malvern Planning Scheme - No. L33
Maryborough Planning Scheme - No. L22
McIvor Planning Scheme - No. L16
Melbourne Planning Scheme - Nos. L156, L163, L173
Melton Planning Scheme - Nos. L30, L47, L51, L52
Metropolitan Region Planning Scheme - No. RL157
Mildura Shire Planning Scheme - Nos. L28, L34
Moorabbin Planning Scheme - Nos. L19 Part 2, L43, L52

Moreland Planning Scheme (consolidation)
 Moreland Planning Scheme - No. L1
 Morwell Planning Scheme - No. L46
 Northcote Planning Scheme - No. L34
 Numurkah Planning Scheme - No. L5
 Nunawading Planning Scheme - Nos. L31, L63, L70
 Oakleigh Planning Scheme - Nos. L38, L40
 Omeo Planning Scheme - No. L8
 Pakenham Planning Scheme - Nos. L83, L99
 Phillip Island Planning Scheme - Nos. L53, L56
 Port Fairy Planning Scheme - No. L13 Part 1
 Prahran Planning Scheme - Nos. L47, L57
 Preston Planning Scheme - Nos. L53, L55, L59
 Queenscliffe Planning Scheme - No. R9
 Ripon Planning Scheme - No. L14
 Rodney Planning Scheme - Nos. L64, L71
 Romsey Planning Scheme - No. L29
 Rutherglen Planning Scheme - No. L8
 Sandringham Planning Scheme - No. L15
 Shepparton Shire Planning Scheme - Nos. L70, L72
 South Melbourne Planning Scheme - No. RL162
 Springvale Planning Scheme - Nos. L74, L82, L84
 St Kilda Planning Scheme - Nos. L32, L34, RL162
 Stawell Shire Planning Scheme - No. L19
 Sunshine Planning Scheme - Nos. L65, L66, L81
 Surf Coast Planning Scheme - Nos. R16, R28
 Swan Hill City Planning Scheme - Nos. L17, L19
 Swan Hill Shire Planning Scheme - Nos. L15, L16, L17, L18
 Traralgon (City) Planning Scheme - No. L54
 Traralgon (Shire) Planning Scheme - No. L48
 Waranga Planning Scheme - No. L12
 Warrnambool City Planning Scheme - Nos. L12, L23 Item 2, L27, L56 Part 2
 Werribee Planning Scheme - Nos. L51, L78
 Whittlesea Planning Scheme - Nos. L81 Part 1, L91, L109, L113
 Williamstown Planning Scheme - Nos. L32, L34
 Winchelsea Planning Scheme - No. L12 Part 2
 Wodonga Planning Scheme - No. L70
 Yarrawonga Planning Scheme - No. L28

Rural Finance Act 1988 - Direction by the Acting Treasurer to the Rural Finance Corporation to establish, operate and administer a scheme of assistance for persons carrying on farming

Statutory Rules under the following Acts:

Administrative Appeals Tribunal Act 1984 - S.R. No. 1/1995
 Agricultural and Veterinary Chemicals Act 1992 - S.R. No. 211/1994
 Business Franchise (Tobacco) Act 1974 - S.R. No. 208/1994
 Business Names Act 1962 - S.R. No. 213/1994
 Club Keno Act 1993 - S.R. No. 10/1995
 Control of Weapons Act 1990 - S.R. No. 193/1994
 Co-operative Housing Societies Act 1958 - S.R. No. 8/1995
 County Court Act 1958 - S.R. No. 195/1994
 Credit Act 1984 - S.R. No. 3/1995
 Cultural and Recreational Lands Act 1963 - S.R. No. 6/1995

Dentists Act 1972 - S.R. No. 204/1994
 Drugs, Poisons and Controlled Substances Act 1981 - S.R. Nos. 216, 218/1994
 Electricity Industry Act 1993 - S.R. No. 226/1994
 Environment Protection Act 1970 - S.R. No. 200/1994
 Estate Agents Act 1980 - S.R. No. 214/1994
 Evidence Act 1958 - S.R. No. 202/1994
 Financial Management Act 1994 - S.R. No. 215/1994
 Fisheries Act 1968 - S.R. No. 12/1995
 Health Act 1958 - S.R. Nos. 191, 203/1994
 Housing Act 1983 - S.R. No. 212/1994
 Land Tax Act 1958 - S.R. No. 4/1995
 Legal Profession Practice Act 1958 - S.R. No. 11/1995
 Lotteries Gaming and Betting Act 1966 - S.R. No. 194/1994
 Magistrates' Court Act 1989 - S.R. Nos. 197, 198, 199/1994
 Melbourne and Metropolitan Board of Works Act 1958 - S.R. Nos. 201, 209/1994
 Metropolitan Fire Brigades Act 1958 - S.R. No. 174/1994 (*in lieu of Statutory Rule previously circulated*)
 Pay-roll Tax Act 1971 - S.R. No. 5/1995
 Pharmacists Act 1974 - S.R. No. 217/1994
 Physiotherapists Act 1978 - S.R. No. 205/1994
 Planning and Environment Act 1987 - S.R. No. 206/1994
 Racing Act 1958 - S.R. Nos. 223, 224/1994
 Road Safety Act 1986 - S.R. No. 222/1994
 Stamps Act 1958 - S.R. No. 2/1995
 Subordinate Legislation Act 1994 - S.R. No. 220/1994
 Supreme Court Act 1986 - S.R. Nos. 196, 228/1994
 Tattersall Consultations Act 1958 - S.R. No. 10/1995
 Transport Accident Act 1986 - S.R. No. 207/1994
 Transport Act 1983 - S.R. No. 221/1994
 Treasury Corporation of Victoria Act 1992 - S.R. Nos. 225/1994, 7/1995
 Trustee Act 1958 - S.R. No. 9/1995
 Water Act 1989 - S.R. No. 219/1994
 Water Industry Act 1994 - S.R. Nos. 210, 227/1994
 Wildlife Act 1975 - S.R. No. 192/1994

Subordinate Legislation Act 1994 -

Subordinate Legislation Guidelines under section 26

Ministers' exemption certificates in relation to Statutory Rule Nos. 220/1994, 2, 4, 5, 9 and 12/1995 (six papers)

Tobacco Leaf Marketing Board - Report for the period 1 April to 29 September 1994

Transport Act 1983 -

Order for Transfer of Assets and Liabilities pursuant to section 81

Order in relation to the Deregulation of the Transport of the Bulk Petroleum and Bulk Grain pursuant to section 196

Upper Yarra Valley and Dandenong Ranges Authority - Report for the year 1993-94

Werribee District Hospital - Report for the year 1993-94 (two papers)

West Moorabool Water Board - Report for the year 1993-94, together with an explanation for the delay in tabling

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 6 September 1994:

- Building Act 1993 - Section 24(3) on 16 January 1995 (*Gazette No. G50, 15 December 1994*)
- Chiropodists (Amendment) Act 1989 - Section 5 on 1 January 1995 (*Gazette No. G50, 15 December 1994*)
- Corrections (Amendment) Act 1994 - Whole Act except section 2 on 12 January 1995 (*Gazette No. G1, 12 January 1995*)
- Crimes (Amendment) Act 1994 - Sections 3 to 10 on 23 January 1995 (*Gazette No. G2, 19 January 1995*)
- Crimes (Sexual Offences) Act 1991 - Sections 11, 15 and 16(1) (b) and (d) on 20 December 1994 (*Gazette No. G50, 15 December 1994*)
- Crown Lands Acts (Amendment) Act 1994 - Remaining provisions on 26 January 1995 (*Gazette No. G3, 26 January 1995*)
- Dentists (Amendment) Act 1994 - Sections 3, 4 and 5 on 5 February 1995 (*Gazette No. G4, 2 February 1995*)
- Electricity Industry (Further Amendment) Act 1994 - Remaining provisions (except sections 4(3) and (4), 5 and 8(c)) on 20 December 1994 (*Gazette No. S100, 20 December 1994*)
- Estate Agents (Amendment) Act 1994 - Section 46 on 1 January 1995. Sections 3 to 13 inclusive, sections 15 to 45 inclusive and sections 47 to 53 inclusive on 1 February 1995 (*Gazette No. G49, 8 December 1994*)
- Gaming and Betting (Amendment) Act 1994 - Section 17, Part 4 and Part 5 on 1 February 1995 (*Gazette No. S10, 1 February 1995*). Section 9 on 16 February 1995. Provisions of Part 6 on 16 February 1995 (*Gazette No. G6, 16 February 1995*)
- Gas Industry Act 1994 - Parts 2, 3 (except sections 33 to 45), 5, 6, 9, 10, 11 (except sections 110(a), (b), (d), (f), (g), (h), (i) and (j)), 111 and 112(a), (b), (c), (d), (e), (g), (h) and (j)) and 12 and Schedules 1 and 5 (except items 1.2, 2, 8 and 10) on 20 December 1994. Sections 39(1) and (3), 40 and 41, Part 4 (except section 48) and Part 7, Divisions 1, 2 (except sections 66 and 67), 5 and 6 and Schedules 2, 3, 4 and item 2 of Schedule 5 on 21 December 1994. Remaining provisions (except section 110 (d), 110 (h) and Part 13) on 22 December 1994. Section 110 (d) on 31 December 1994. Part 13 on 23 December 1994 (*Gazette No. S100, 20 December 1994*)
- Health and Community Services (Further Amendment) Act 1993 - Part 3 on 18 December 1994 (*Gazette No. G50, 15 December 1994*)
- Land (Miscellaneous Matters) and National Tennis Centre (Amendment) Act 1994 - Section 10 on 9 February 1995 (*Gazette No. G5, 9 February 1995*)
- Lotteries Gaming and Betting (General Amendment) Act 1994 - Division 1 of Part 3, section 13(1), section 15(2), Division 5 of Part 3 (except sections 20, 21(1) and (4), paragraph (h) of section 22 and section 25). Part 4, Part 5, except section 29 on 1 February 1995 (*Gazette No. S10, 1 February 1995*)
- Project Development and Construction Management Act 1994 - Sections 3, 4 and 5 of Part 1 and Parts 2, 3, 5, 6 and 7 and section 63 of Part 9 and the Schedule on 10 January 1995 (*Gazette No. G1, 12 January 1995*)
- Tertiary Education (Amendment) Act 1994 - All remaining provisions other than section 4 on 8 December 1994. Section 4 on 1 January 1995 (*Gazette No. G49, 8 December 1994*)

Transport Accident (General Amendment) Act 1994 - Sections 12, 13, 14, 16, 17, 18, 19, 21, 27, 28(1), 32, 34, 35, 39, 47, 48, 49, 50, 51, 52, 53, 54, 55, 60(2), 61 and 62 on 18 December 1994. Sections 20, 22, 23, 24, 26, 29, 30, 31, 33, 37, 41, 42, 43, 44, 45, 46, 63 and 64 on 1 January 1995 (*Gazette No. S96, 13 December 1994*)

University Acts (Amendment) Act 1994 - All provisions (other than sections 1, 2, 19, 25, 26, 29, 31, 37 and 38) on 1 January 1995 (*Gazette No. G51, 22 December 1994*)

Valuation of Land (Amendment) Act 1994 - Part 3 on 23 January 1995 (*Gazette No. G2, 19 January 1995*)

Water Industry Act 1994 -Whole Act (other than sections 1 and 2) on 1 January 1995 (*Gazette No. S105, 23 December 1994*).

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

Melbourne Sports and Aquatic Centre Bill
 Land Tax (Amendment) Bill
 State Taxation (Amendment) Bill
 Constitution (Amendment) Bill
 Land Titles Validation Bill
 Constitution (Court of Appeal) Bill
 Water Industry Bill
 Gas Industry Bill
 Livestock Disease Control Bill
 Superannuation Acts (Further Amendment) Bill
 Classification of Films and Publications (Amendment) Bill
 Melbourne City Link Authority Bill
 Planning Authorities Repeal Bill.

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

On 13 December 1994

Casino (Management Agreement) (Amendment) Bill
 Corrections (Amendment) Bill
 Crimes (Amendment) Bill
 Crown Lands Acts (Amendment) Bill
 Emergency Management (Amendment) Bill
 Gaming and Betting (Amendment) Bill
 Local Government (Amendment) Bill
 Lotteries Gaming and Betting (General Amendment) Bill
 Project Development and Construction Management Bill
 Prostitution Control Bill
 Queen Victoria Women's Centre Bill
 Subordinate Legislation Bill
 University Acts (Amendment) Bill
 Vocational Education and Training (State Training Wage) Bill

On 20 December 1994

Classification of Films and Publications (Amendment) Bill
 Constitution (Amendment) Bill
 Constitution (Court of Appeal) Bill
 Electricity Industry (Further Amendment) Bill

Environment Effects (Amendment) Bill
 Gas Industry Bill
 Land Tax (Amendment) Bill
 Land Titles Validation Bill
 Livestock Disease Control Bill
 Melbourne City Link Authority Bill
 Melbourne Sports and Aquatic Centre Bill
 Planning Authorities Repeal Bill
 State Taxation (Amendment) Bill
 Superannuation Acts (Further Amendment) Bill
 Water Industry Bill.

- 8 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
- Coastal Management Bill
 - Defence Reserves Re-employment Bill
 - National Environment Protection Council (Victoria) Bill.
- 9 **CORRECTION OF BILLS** - Motion made, by leave, and question - That where a Bill has passed through both Houses and the citation of the Bill includes a reference to a calendar year earlier than that in which the passage of the Bill was completed, the Clerk of the Parliaments be empowered to alter the calendar year reference in the citation of the Bill and any corresponding reference within the Bill itself to the year in which the passage of the Bill was so completed (*Mr Gude*) - put and agreed to.
- 10 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 2 March 1995:
- Office of the Regulator-General (Amendment) Bill
 - Fire Authorities (Miscellaneous Amendments) Bill
 - Victorian Arts Centre (Amendment) Bill
 - Public Sector Management (Amendment) Bill
 - Defence Reserves Re-employment Bill
 - Sports Drug Testing Bill
- (*Mr Gude*) - put and agreed to.
- 11 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 12 **OFFICE OF THE REGULATOR-GENERAL (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 10.00 p.m.
 pursuant to Sessional Orders.*

- 13 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.54 p.m.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 36 - Wednesday, 1 March 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- South Eastern Arterial Grade Separations Project** - Seeking that the South Eastern Arterial Grade Separations Project be extended to include appropriate bridging over or under the Glen Waverley rail line at Burke, Toorak and Tooronga Roads and that the rail crossings be then removed, bearing 2,027 signatures (*by Mr Tanner*)
 - Legal Protection for Homosexuals** - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 36 signatures (*by Mr Wells*).
- Severally ordered to lie on the Table.
- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Emergency Services Superannuation Scheme** - Report for the year 1993-94 (two papers) together with a notice of direction from the Minister for Finance extending the time to submit the Report and the reasons for granting such extension
- Statutory Rules under the following Acts:
- Fisheries Act 1968 - S.R. No. 16/1995
 - Goods Act 1958 - S.R. No. 13/1995
 - Local Government Act 1989 - S.R. No. 15/1995
 - Subordinate Legislation Act 1994 - S.R. No. 14/1995
 - Victoria State Emergency Services Act 1987 - S.R. No. 17/1995
 - Water Industry Act 1994 - S.R. No. 227/1994 (*in lieu of Statutory Rule previously tabled*)
- Subordinate Legislation Act 1994 - Ministers' exception certificates in relation to Statutory Rule Nos. 14 and 16/1995 (two papers).
- 4 **ADJOURNMENT MOTION - NORTHLAND SECONDARY COLLEGE** - Mr Sandon proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

“The decision of the Full Supreme Court ruling on 17 February 1995 that the Equal Opportunity Board had power to order the reopening of the Northland Secondary College and the Minister for Education’s discriminatory and wasteful handling of the closure of the College.”

Mr Speaker having ascertained that twelve members approved of the proposed discussion -
Motion made and question - That the House do now adjourn (*Mr Sandon*) - after debate, put.
The House divided.

AYES, 23

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Haermeyer	Mr Sandon	
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Sercombe	
Mr Brumby	Mr Loney	Mr Sheehan	<i>Tellers</i>
Dr Coghill	Ms Marple	Mr Thomson	Mr Cunningham
Mr Dollis	Mr Micallef	(<i>Pascoe Vale</i>)	Dr Vaughan

NOES, 51

Mr Ashley	Mr Jasper	Mr Paterson	Mr Spry
Mr Bildstien	Mr Jenkins	Mr Perrin	Mr Steggall
Mr Brown	Mr John	Mr Perton	Mr Tanner
Mr Clark	Mr Kilgour	Mr Pescott	Mrs Tehan
Mr Coleman	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Cooper	Mr Lupton	Mr Phillips	(<i>Sandringham</i>)
Mr Davis	Mr McArthur	Mr Plowman	Mrs Wade
Dr Dean	Mrs McGill	(<i>Benambra</i>)	Mr Weideman
Mr Elder	Mr McGrath	Mr Plowman	Mr Wells
Mrs Elliott	(<i>Warrnambool</i>)	(<i>Evelyn</i>)	
Mr Finn	Mr McLellan	Mr Richardson	
Mr Gude	(<i>Frankston East</i>)	Mr Rowe	
Mr Hayward	Mr Maclellan	Mr Smith	
Mrs Henderson	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	<i>Tellers</i>
Mr Honeywood	Mr Maughan	Mr Smith	Mr Treasure
Mr Hyams	Dr Napthine	(<i>Polwarth</i>)	Mr Turner

And so it passed in the negative.

- 5 **PRIVATISATION** - Motion made and question proposed - That this House condemns the Opposition for its hypocrisy in opposing the privatisation of TABCORP and other State Government Business Enterprises, when in government they sold the State Bank of Victoria, Loy Yang B Power Station and the State Insurance Office and when their Federal colleagues are privatising the Commonwealth Bank, Qantas and a wide range of Commonwealth Government Business Enterprises and are supporting Victorian electricity reforms as a model for the rest of Australia (*Mr Clark*).

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

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

- 7 **CORPORATIONS (VICTORIA) (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Corporations (Victoria) Act 1990' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **ROAD SAFETY (AMENDMENT) BILL** - Mr Brown obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Road Safety Act 1986' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **TRANSPORT (TOW TRUCK REFORM) BILL** - Mr Brown obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Transport Act 1983' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **OFFICE OF THE REGULATOR-GENERAL (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Question - put.

The House divided.

AYES, 57

Mr Ashley	Mr Jenkins	Dr Napthine	Mr Stockdale
Mr Bildstien	Mr John	Mr Paterson	Mr Tanner
Mr Brown	Mr Kennett	Mr Perrin	Mrs Tehan
Mr Clark	Mr Kilgour	Mr Pescott	Mr Thompson
Mr Coleman	Mr Leigh	Mrs Peulich	(<i>Sandringham</i>)
Mr Cooper	Mr Lupton	Mr Phillips	Mr Treasure
Mr Davis	Mr McArthur	Mr Plowman	Mr Turner
Mr Doyle	Mrs McGill	(<i>Benambra</i>)	Mrs Wade
Mr Elder	Mr McGrath	Mr Reynolds	Mr Weideman
Mrs Elliott	(<i>Warrnambool</i>)	Mr Richardson	
Mr Finn	Mr McGrath	Mr Rowe	
Mr Gude	(<i>Wimmera</i>)	Mr Ryan	
Mr Hayward	Mr McLellan	Mr Smith	
Mr Heffernan	(<i>Frankston East</i>)	(<i>Glen Waverley</i>)	
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maclellan	(<i>Polwarth</i>)	<i>Tellers</i>
Mr Hyams	(<i>Pakenham</i>)	Mr Spry	Dr Dean
Mr Jasper	Mr Maughan	Mr Steggall	Mr Wells

NOES, 22

Mr Baker	Mr Haermeyer	Mr Seitz	
Mr Batchelor	Mr Hamilton	Mr Sercombe	
Mr Bracks	Mr Loney	Mr Sheehan	
Mr Brumby	Ms Marple	Mr Thomson	
Dr Coghill	Mr Micallef	(<i>Pascoe Vale</i>)	<i>Tellers</i>
Mr Dollis	Mr Mildenhall	Mr Thwaites	Mr Andrianopoulos
Ms Garbutt	Mr Sandon	Dr Vaughan	Mr Cunningham

And so it was resolved in the affirmative.

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

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

- 11 **FIRE AUTHORITIES (MISCELLANEOUS AMENDMENTS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr McNamara announced that it was proposed to move an amendment in Committee and requested that the amendment be circulated. Amendment circulated.
- Debate resumed on question - That this Bill be now read a second time; Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read a third time.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 **VICTORIAN ARTS CENTRE (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- Business having been interrupted at 10.00 p.m.
pursuant to Sessional Orders.*
- 13 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.51 p.m.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 37 - Thursday, 2 March 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
- Birregurra and District Community Hospital** - Seeking that the House take all necessary steps to keep the Birregurra and District Community Hospital open, bearing 799 signatures (*by Mr Tanner*).
- Ordered to lie on the Table.
- 3 **PAPER** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
- Dental Board (including the Specialist Practitioners Qualifications Committee) - Report for the year ended 30 September 1994.

- 4 **PUBLIC SECTOR MANAGEMENT (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

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

- 6 **PUBLIC SECTOR MANAGEMENT (AMENDMENT) BILL** - Debate resumed on question - That this Bill be now read a second time.

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

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

- 7 **DEFENCE RESERVES RE-EMPLOYMENT BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

- 8 **SPORTS DRUG TESTING BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 28 February 1995 had expired.

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

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

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

Question - put.

The House divided.

AYES, 54

Mr Ashley
Mr Bildstien
Mr Brown
Mr Clark
Mr Coleman
Mr Cooper
Dr Dean
Mr Doyle
Mr Elder
Mr Finn
Mr Gude
Mr Hayward
Mr Heffernan
Mrs Henderson
Mr Honeywood
Mr Hyams

Mr Jasper
Mr Jenkins
Mr John
Mr Kilgour
Mr Leigh
Mr Lupton
Mr McArthur
Mrs McGill
Mr McGrath
(*Wimmera*)
Mr McLellan
(*Frankston East*)
Mr Maclellan
(*Pakenham*)
Mr Maughan
Dr Napthine

Mr Paterson
Mr Perrin
Mr Perton
Mr Pescott
Mr Phillips
Mr Plowman
(*Benambra*)
Mr Plowman
(*Evelyn*)
Mr Reynolds
Mr Richardson
Mr Ryan
Mr Smith
(*Glen Waverley*)
Mr Smith
(*Polwarth*)

Mr Spry
Mr Steggall
Mr Stockdale
Mrs Tehan
Mr Thompson
(*Sandringham*)
Mr Traynor
Mr Treasure
Mr Turner
Mrs Wade
Mr Weideman
Mr Wells

Tellers
Mrs Elliott
Mrs Peulich

NOES, 25

Mr Baker	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Batchelor	Mr Haermeyer	Mr Sandon	Dr Vaughan
Mr Bracks	Mr Hamilton	Mr Seitz	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Sercombe	
Dr Coghill	Mr Loney	Mr Sheehan	<i>Tellers</i>
Mr Cunningham	Ms Marple	Mr Thomson	Mr Andrianopoulos
Mr Dollis	Mr Micallef	<i>(Pascoe Vale)</i>	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

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

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

- 10 **CORPORATIONS (VICTORIA) (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).

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

Ordered - That the debate be adjourned until Thursday, 16 March 1995.

- 11 **TRANSPORT (TOW TRUCK REFORM) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).

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

Ordered - That the debate be adjourned until Thursday, 16 March 1995.

- 12 **GRIEVANCES** - Motion made, by leave, and question - That for the purposes of Sessional Order No. 4(1), Wednesday, 22 March 1995, Wednesday, 19 April 1995 and Wednesday, 24 May 1995 be appointed days upon which the question "That grievances be noted" may be put (*Mr Gude*) - put and agreed to.

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

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

And the House, at 5.23 p.m., adjourned until Tuesday, 7 March 1995.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 38, 39 and 40

No. 38 - Tuesday, 7 March 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **DEATH OF SENATOR ALICE OLIVE ZAKHAROV** - Mr Kennett, by leave, expressed his sincere regret at the death of Senator for Victoria Olive Zakharov, and extended the House's condolences to Senator Zakharov's family, which comments were supported by Mr Brumby.
- 4 **NATIONAL ROAD TRANSPORT COMMISSION** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the National Road Transport Commission for the year 1993-94 (*Mr Brown*) - put and agreed to.
- 5 **PAPER** - Mr Brown presented:
 - National Road Transport Commission - Report for the year 1993-94 - Return to the foregoing Order.Ordered to lie on the Table.
- 6 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 1 of 1995, on the -
 - Statute Law Revision Bill
 - Coastal Management Bill
 - Defence Reserves Re-Employment Bill
 - Sports Drug Testing Bill
 - National Environment Protection Council (Victoria) Bill
 - Corporations (Victoria) (Amendment) Bill
 - Transport (Tow Truck Reform) Billtogether with an Appendix.
Ordered to lie on the Table and to be printed.
- 7 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Ombudsman and Deputy Ombudsman (Police Complaints) - Report for the year 1993-94 - Ordered to be printed
 - Parliamentary Committees Act 1968 - Response of the Minister for Fair Trading on the action taken with respect to the recommendations made by the Public Accounts and Estimates Committee Report on the Housing Guarantee Fund Limited

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

Frankston Planning Scheme - No. L66
 Greater Geelong Planning Scheme - Nos. L14, RL90
 Melbourne Metropolitan Planning Schemes - No. R126
 Melton Planning Scheme - No. L41
 Northcote Planning Scheme - No. L33
 Port Melbourne Planning Scheme - No. L22
 Romsey Planning Scheme - No. L33
 South Melbourne Planning Scheme - No. L95
 Warrnambool City Planning Scheme - No. L60
 Whittlesea Planning Scheme - No. L102

Statutory rules under the following Acts:

Drugs, Poisons and Controlled Substances Act 1981 - S.R. No. 22
 Tobacco Act 1987 - S.R. No. 21.

The following proclamation fixing an operative date was laid upon the Table by the Clerk pursuant to an Order of the House dated 6 September 1994:

Health Services (Amendment) Act 1994 - Sections 3-21 inclusive on 2 March 1995 (*Gazette No. G8, 2 March 1995*).

- 8 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending a further appropriation for the purposes of the Judicial Remuneration Tribunal Bill.
- 9 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 9 March 1995:
- Courts (General Amendment) Bill
 Judicial Remuneration Tribunal Bill
 Coastal Management Bill
 National Environment Protection Council (Victoria) Bill
 Statute Law Revision Bill

(Mr McGrath, Wimmera) - after debate, put.

The House divided

AYES, 53

Mr Ashley	Mr Jenkins	Mr Perrin	Mrs Tehan
Mr Bildstien	Mr John	Mr Pescott	Mr Thompson
Mr Brown	Mr Kilgour	Mrs Peulich	(Sandringham)
Mr Clark	Mr Leigh	Mr Phillips	Mr Traynor
Mr Cooper	Mr Lupton	Mr Plowman	Mr Treasure
Mr Davis	Mr McGrath	(Benambra)	Mr Turner
Dr Dean	(Warrnambool)	Mr Reynolds	Mrs Wade
Mr Doyle	Mr McGrath	Mr Richardson	Mr Weideman
Mr Elder	(Wimmera)	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	(Frankston East)	Mr Smith	
Mr Hayward	Mr McNamara	(Glen Waverley)	
Mr Heffernan	Mr Maclellan	Mr Smith	
Mrs Henderson	(Pakenham)	(Polwarth)	
Mr Honeywood	Mr Maughan	Mr Spry	Tellers
Mr Hyams	Dr Napthine	Mr Steggall	Mr McArthur
Mr Jasper	Mr Paterson	Mr Tanner	Mrs McGill

NOES, 26

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Sandon	
Mr Batchelor	Mr Haermeyer	Mr Seitz	
Mr Bracks	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Leighton	Mr Sheehan	
Dr Coghill	Mr Loney	Mr Thomson	Tellers
Mr Cole	Ms Marple	(Pascoe Vale)	Mr Carli
Mr Cunningham	Mr Micallef	Dr Vaughan	Mr Pandazopoulos

And so it was resolved in the affirmative.

- 10 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 1 be postponed until later this day.
- 11 **COURTS (GENERAL AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

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

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

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

- 12 **ROAD SAFETY (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).

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

Ordered - That the debate be adjourned until Tuesday, 21 March 1995.

- 13 **JUDICIAL REMUNERATION TRIBUNAL BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

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

Question - put.

The House divided.

AYES, 54

Mr Ashley	Mr Jenkins	Mr Maughan	Mr Smith
Mr Bildstien	Mr John	Dr Naphthine	(<i>Polwarth</i>)
Mr Brown	Mr Kennett	Mr Paterson	Mr Spry
Mr Coleman	Mr Kilgour	Mr Perrin	Mr Steggall
Mr Cooper	Mr Lupton	Mrs Peulich	Mr Stockdale
Mr Davis	Mr McArthur	Mr Phillips	Mr Tanner
Dr Dean	Mrs McGill	Mr Plowman	Mr Thompson
Mr Doyle	Mr McGrath	(<i>Benambra</i>)	(<i>Sandringham</i>)
Mr Elder	(<i>Warrnambool</i>)	Mr Plowman	Mr Traynor
Mrs Elliott	Mr McGrath	(<i>Evelyn</i>)	Mr Treasure
Mr Finn	(<i>Wimmera</i>)	Mr Reynolds	Mr Turner
Mr Hayward	Mr McLellan	Mr Richardson	Mrs Wade
Mr Heffernan	(<i>Frankston East</i>)	Mr Rowe	Mr Weideman
Mr Honeywood	Mr McNamara	Mr Ryan	Tellers
Mr Hyams	Mr Maclellan	Mr Smith	Mr Leigh
Mr Jasper	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	Mr Perton

NOES, 24

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Haermeyer	Mr Pandazopoulos	Mrs Wilson
Mr Batchelor	Mr Hamilton	Mr Sandon	
Mr Bracks	Mr Leighton	Mr Seitz	
Mr Brumby	Mr Loney	Mr Sercombe	Tellers
Mr Carli	Ms Marple	Mr Thomson	Mr Cunningham
Mr Dollis	Mr Micallef	(<i>Pascoe Vale</i>)	Dr Vaughan

And so it was resolved in the affirmative.

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

*Business having been interrupted at 10.05 p.m.
pursuant to Sessional Orders.*

- 14 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.55 p.m.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 39 - Wednesday, 8 March 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
Legal Protection for Homosexuals - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 34 signatures (*by Mr Lupton*).
- Ordered to lie on the Table.
- 3 **PAPER** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
Grain Elevators Board - Report for the year ended 30 September 1994.
- 4 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Victorian Arts Centre (Amendment) Bill without amendment.
- 5 **POLITICAL ADVERTISING** - Motion made and question proposed - That this House calls on the Government to introduce legislation to prevent the Government misusing taxpayers' money on political advertising and so-called information campaigns by Government departments and authorities, especially during election periods (*Mr Brumby*) - and, after debate -
*General Business having been interrupted at 2.00 p.m.
pursuant to Sessional Orders.*
- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 7 **FISHERIES BILL** - Mr Coleman obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "to reform the law relating to Victorian fisheries, to repeal the 'Fisheries Act 1968' and to make consequential amendments to certain other Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **LAND (REVOCAION OF RESERVATIONS) BILL** - Mr Coleman obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "to remove several reservations over land and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 **ROYAL BOTANIC GARDENS (AMENDMENT) BILL** - Mr Coleman obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "to amend the 'Royal Botanic Gardens Act 1991', to make minor amendments to the 'Conservation, Forests and Lands Act 1987' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **DENTAL TECHNICIANS (AMENDMENT) BILL** - Mrs Tehan obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "to amend the 'Dental Technicians Act 1972' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **LATROBE REGIONAL COMMISSION (REPEAL) BILL** - Mr Maclellan (*Pakenham*), pursuant to a motion moved on his behalf by Mr McGrath (*Wimmera*), obtained leave, with Mr Coleman, to bring in a Bill "to provide for the winding up of the Latrobe Regional Commission, to repeal the 'Latrobe Regional Commission Act 1983' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **PLANNING AND ENVIRONMENT (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "to amend the 'Planning and Environment Act 1987' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **COASTAL MANAGEMENT BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr Coleman announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Debate resumed on question - That this Bill be now read a second time.
- Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government - (a) makes a commitment to ecologically sustainable development; (b) properly staffs and monitors the pollution of our bays; (c) abandons its plans to privatise Melbourne's and the State's water utilities; and (d) improves and strengthens environmental assessment processes in Victoria." (*Mr Dollis*) - and, after debate -
- Motion made and question - That the debate be now adjourned (*Mr Treasure*) - put and agreed to.
- Ordered - That the debate be adjourned until tomorrow.
- 14 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr McGrath, Wimmera*) - put and agreed to.
- 15 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 6.49 p.m., adjourned until tomorrow.

No. 40 - Thursday, 9 March 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Drugs, Poisons and Controlled Substances Act 1981 - Documents pursuant to section 12 H(1) -
 - Poisons Code - Amendment of Part 3, Chapter 2 dated 21 February 1995 and Notice regarding the amendment, commencement and availability of amendment (two papers)
 - Poisons Code - Amendment of Code by Standard for the Uniform Scheduling of Drugs and Poisons No. 9 together with Amendments Nos. 1 and 2 and Notice regarding the amendment, commencement and availability of amendment (four papers)
 - Statutory Rules under the following Acts:
 - Legal Profession Practice Act 1958 - S.R. No. 24
 - Lotteries Gaming and Betting Act 1966 - S.R. No. 20
 - Supreme Court Act 1986 - S.R. No. 24
 - Subordinate Legislation Act 1994 -
 - Ministers' exemption certificates in relation to Statutory Rule Nos. 20, 21 and 22 (three papers).
 - Minister's exception certificate in relation to Statutory Rule No. 24.
- 3 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
 - Defence Reserves Re-Employment Bill
 - Sports Drug Testing Bill
 - Fire Authorities (Miscellaneous Amendments) Bill.
- 4 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 21 March 1995 (*Mr McGrath, Wimmera*) - put and agreed to.
- 5 **JUDICIAL REMUNERATION TRIBUNAL BILL** - Bill committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 6 **COASTAL MANAGEMENT BILL** - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government - (a) makes a commitment to ecologically sustainable development; (b) properly staffs and monitors the pollution of our bays; (c) abandons its plans to privatise Melbourne's and the State's water utilities; and (d) improves and strengthens environmental assessment processes in Victoria"; debate resumed.

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

- 7 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 8 **COASTAL MANAGEMENT BILL** - Debate resumed on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government - (a) makes a commitment to ecologically sustainable development; (b) properly staffs and monitors the pollution of our bays; (c) abandons its plans to privatise Melbourne's and the State's water utilities; and (d) improves and strengthens environmental assessment processes in Victoria".

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

The House divided.

AYES, 53

Mr Ashley	Mr Kilgour	Mr Ferrin	Mr Spry
Mr Bildstien	Mr Leigh	Mr Perton	Mr Steggall
Mr Brown	Mr Lupton	Mr Pescott	Mr Tanner
Mr Clark	Mr McArthur	Mrs Peulich	Mrs Tehan
Mr Coleman	Mrs McGill	Mr Phillips	Mr Thompson
Mr Cooper	Mr McGrath	Mr Plowman	(Sandringham)
Mr Davis	(Warrnambool)	(Benambra)	Mr Traynor
Mr Doyle	Mr McGrath	Mr Plowman	Mr Turner
Mr Elder	(Wimmera)	(Evelyn)	Mrs Wade
Mrs Elliott	Mr McLellan	Mr Reynolds	
Mr Hayward	(Frankston East)	Mr Richardson	
Mr Heffernan	Mr McNamara	Mr Rowe	
Mrs Henderson	Mr Maclellan	Mr Ryan	
Mr Honeywood	(Pakenham)	Mr Smith	
Mr Jasper	Mr Maughan	(Glen Waverley)	Tellers
Mr Jenkins	Dr Napthine	Mr Smith	Mr Finn
Mr John	Mr Paterson	(Polwarth)	Mr Hyams

NOES, 27

Mr Andrianopoulos	Ms Garbutt	Mr Pandazopoulos	Dr Vaughan
Mr Baker	Mr Haermeyer	Mr Sandon	Mrs Wilson
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Sercombe	
Mr Brumby	Mr Loney	Mr Sheehan	
Dr Coghill	Ms Marple	Mr Thomson	Tellers
Mr Cole	Mr Micallef	(Pascoe Vale)	Mr Carli
Mr Dollis	Mr Mildenhall	Mr Thwaites	Mr Cunningham

And so it was resolved in the affirmative.

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

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

- 9 **JUDICIAL REMUNERATION TRIBUNAL BILL - CLERK'S CORRECTION** - Mr Speaker announced that he had received a report from the Clerk that he had made the following correction in this Bill:
 In Clause 11(n) he omitted "the" which was incorrectly inserted in Committee by Government amendment No. 2.
- 10 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.
- 11 **NATIONAL ENVIRONMENT PROTECTION COUNCIL (VICTORIA) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 **STATUTE LAW REVISION BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 **FISHERIES BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
Mr Coleman made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.
 Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 23 March 1995.
- 14 **LAND (REVOCATION OF RESERVATIONS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
Mr Coleman made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.
 Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
 Ordered, after debate - That the debate be adjourned until Wednesday, 22 March 1995.
- 15 **DENTAL TECHNICIANS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
 Motion made and question - That the debate be now adjourned (*Mr Micallef*) - put and agreed to.
 Ordered - That the debate be adjourned until Wednesday, 22 March 1995.
- 16 **LATROBE REGIONAL COMMISSION (REPEAL) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Pescott*).
 Motion made and question - That the debate be now adjourned (*Mr Micallef*) - put and agreed to.
 Ordered - That the debate be adjourned until Wednesday, 22 March 1995.

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- 17 **PLANNING AND ENVIRONMENT (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Pescott*).
- Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 23 March 1995.
- 18 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Pescott*) - put and agreed to.
- 19 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 5.32 p.m., adjourned until Tuesday, 21 March 1995.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 41, 42 and 43

No. 41 - Tuesday, 21 March 1995

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up the following Reports from the Scrutiny of Acts and Regulations Committee:
Report being the Alert Digest No. 2 of 1995 on the -
 Road Safety (Amendment) Bill
 Dental Technicians (Amendment) Bill
 Latrobe Regional Commission (Repeal) Bill, together with an Appendix.
Sixth Report on Subordinate Legislation concerning the Stock (Hormonal Growth Promotants Status Declarations) Regulations 1994, together with Appendices.
Second Annual Report, together with Appendices.
Severally ordered to lie on the Table and to be printed.
- 4 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 Aireys Inlet Water Board - Report for the year ended 30 September 1994
 Alexandra Shire Water and Sewerage Authority - Report for the year ended 30 September 1994
 Annual Reporting Act 1983 - Notification from the Minister for Natural Resources of the following Authorities' failure to submit annual reports and the reasons therefor:
 Barwon Region Water Authority
 Creswick and District Water Board
 Maryborough City Water Supply and Wastewater
 Orbost Water Board
 Sunraysia Water Board
 Ararat City Water Supply and Wastewater Components - Report for the year ended 30 September 1994
 Barwon Region Water Authority - Report for the period ended 30 June 1994
 Creswick and District Water Board - Report for the year 1993-94
 Hamilton Water Board - Report for the period ended 30 June 1994
 Horsham City Water and Wastewater - Report for the year ended 30 September 1994
 Maryborough City Water Supply and Wastewater - Report for the year 1993-94
 Melton Shire Water Services - Report for the year ended 30 September 1994

Orbost Water Board - Report for the year 1993-94

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

- Ballaarat (City) Planning Scheme - No. L54
- Berwick Planning Scheme - Nos. L79, L82
- Camberwell Planning Scheme - No. L44
- Caulfield Planning Scheme - No. L30
- Collingwood Planning Scheme - No. L33
- Cranbourne Planning Scheme - No. L101
- Doncaster and Templestowe Planning Scheme - No. L85
- Greater Geelong Planning Scheme - No. RL113
- Keilor Planning Scheme - No. L89
- Kilmore Planning Scheme - No. L81
- Knox Planning Scheme - No. L84
- Lillydale Planning Scheme - No. L150
- Malvern Planning Scheme - No. L26
- Melton Planning Scheme - No. L36
- Morwell Planning Scheme - No. L39
- Omeo Planning Scheme - No. L14
- Richmond Planning Scheme - No. L34
- Romsey Planning Scheme - No. L42
- Sherbrooke Planning Scheme - No. L76
- South Melbourne Planning Scheme - Nos. L94, L96
- Traralgon (City) Planning Scheme - No. L56
- Upper Yarra Valley and Dandenong Ranges Region Planning Schemes - No. R13
- Williamstown Planning Scheme - No. L16

Portland Water Board - Report for the period ended 30 June 1994

Project Development and Construction Management Act 1994 - Orders in Council under sections 6 and 8 respectively (two papers)

Romsey-Lancefield Water Board - Report for the year ended 30 September 1994

Statutory Rules under the following Acts:

- Agricultural and Veterinary Chemicals Act 1992 - S.R. Nos. 25, 26, 27
- Corrections Act 1986 - S.R. No. 23
- Credit (Administration) Act 1984 - S.R. No. 19
- Lotteries Gaming and Betting Act 1966 - S.R. No. 28
- Magistrates' Court Act 1989 - S.R. No. 18
- Road Safety Act 1986 - S.R. No. 29

Subordinate Legislation Act 1994 -

- Minister's exception certificate in relation to Statutory Rule No. 18
- Ministers' exemption certificates in relation to Statutory Rule Nos. 26, 27, 28

Sunraysia Water Board - Report for the year 1993-94

Tambo Water Board - Report for the year ended 30 September 1994

Victorian Institute of Marine Sciences Council - Report for the year 1992.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 6 September 1994:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 - Sections 6, 19 (1), 19 (2), 19 (3), 23, 26, 38, 39, 40, 45, 46, 48, 49, 52, 55 to 61 inclusive, 63, 64, 77, 78 (2) (a), 78 (4) (d) and 78 (5) on 15 March 1995 (*Gazette No. G9, 9 March 1995*)

Agricultural and Veterinary Chemicals (Victoria) Act 1994 - All the provisions, with the exception of sections 44 and 50 (4) on 15 March 1995 (*Gazette No. G9, 9 March 1995*).

- 5 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had, on 15 March 1995, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Defence Reserves Re-Employment Bill
 Fire Authorities (Miscellaneous Amendments) Bill
 Sports Drug Testing Bill
 Victorian Arts Centre (Amendment) Bill.

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

Fisheries Bill
 Land (Revocation of Reservations) Bill
 Latrobe Regional Commission (Repeal) Bill.

- 7 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 3.00 p.m. on Thursday, 23 March 1995:

Transport (Tow Truck Reform) Bill
 Road Safety (Amendment) Bill
 Corporations (Victoria) (Amendment) Bill
 Ports Acts (Amendment) Bill
 Land (Revocation of Reservations) Bill
 Dental Technicians (Amendment) Bill

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

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

- 9 **TRANSPORT (TOW TRUCK REFORM) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until - (a) a public consultative process is in place to consider - (i) criteria designating controlled areas; (ii) guidelines for defining future needs for the allocation of additional licences; and (iii) details of the demerit point system; (b) certain guarantees enabling the one or two licensed tow truck operators to stay in business are made; and (c) an audit system to monitor industry performance is in place." (*Mr Hamilton*) - and, after debate -

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

The House divided.

AYES, 51

Mr Ashley	Mr Kilgour	Mr Perton	Mr Tanner
Mr Bildstien	Mr Leigh	Mrs Peulich	Mrs Tehan
Mr Brown	Mr Lupton	Mr Phillips	Mr Thompson
Mr Clark	Mr McArthur	Mr Plowman	(Sandringham)
Mr Cooper	Mrs McGill	(Benambra)	Mr Treasure
Mr Davis	Mr McGrath	Mr Plowman	Mr Turner
Dr Dean	(Warrnambool)	(Evelyn)	Mrs Wade
Mr Doyle	Mr McLellan	Mr Reynolds	Mr Weideman
Mrs Elliott	(Frankston East)	Mr Richardson	Mr Wells
Mr Finn	Mr McNamara	Mr Rowe	
Mr Hayward	Mr Maclellan	Mr Ryan	
Mrs Henderson	(Pakenham)	Mr Smith	
Mr Honeywood	Mr Maughan	(Glen Waverley)	
Mr Jasper	Dr Naphthine	Mr Smith	<i>Tellers</i>
Mr Jenkins	Mr Paterson	(Polwarth)	Mr Hyams
Mr John	Mr Perrin	Mr Spry	Mr Traynor

NOES, 23

Mr Andrianopoulos	Ms Garbutt	Mr Sandon	Mrs Wilson
Mr Baker	Mr Hamilton	Mr Seitz	
Mr Batchelor	Mr Leighton	Mr Sercombe	
Dr Coghill	Mr Loney	Mr Sheehan	
Mr Cole	Ms Marple	Mr Thomson	<i>Tellers</i>
Mr Cunningham	Mr Micallaf	(Pascoe Vale)	Mr Carli
Mr Dollis	Mr Mildenhall	Dr Vaughan	Mr Pandazopoulos

And so it passed in the negative.

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

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

- 10 **ROAD SAFETY (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

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

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

And the House, at 9.11 p.m., adjourned until tomorrow.

No. 42 - Wednesday, 22 March 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Legal Protection for Homosexuals** - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 45, 8, 15 and 53 signatures (*by Mr Tanner, Mr Hyams, Mr Lupton and Mr Wells, respectively*).Severally ordered to lie on the Table.
- 3 **WASTE MANAGEMENT COUNCIL** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Waste Management Council for the year ended 30 September 1994 (*Mr Gude*) - put and agreed to.
- 4 **PAPER** - Mr Gude presented:
 - Waste Management Council - Report for the year ended 30 September 1994 - Return to the foregoing Order.Ordered to lie on the Table.
- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Office of the Regulator-General (Amendment) Bill without amendment.
- 6 **ORDER OF THE DAY DISCHARGED** - Motion made, by leave, and question - That the following Order of the Day, Government Business, be read and discharged:
 - Royal Botanic Gardens (Amendment) Bill - Second reading.*and that the Bill be withdrawn (*Mr Gude*) - put and agreed to.
- 7 **GRIEVANCES** - Question - That grievances be noted - put, after debate, and agreed to.
- 8 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 9 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
Ordered - That the debate be adjourned until Wednesday, 5 April 1995.
- 10 **CORPORATIONS (VICTORIA) (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

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

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

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

Question - put.

The House divided.

AYES, 52

Mr Bildstien	Mr Jasper	Dr Napthine	Mr Smith
Mr Clark	Mr Jenkins	Mr Paterson	(<i>Polwarth</i>)
Mr Coleman	Mr Kennett	Mr Ferrin	Mr Steggall
Mr Cooper	Mr Kilgour	Mr Perton	Mr Stockdale
Mr Davis	Mr Leigh	Mr Pescott	Mrs Tehan
Dr Dean	Mr McArthur	Mrs Peulich	Mr Thompson
Mr Doyle	Mrs McGill	Mr Phillips	(<i>Sandringham</i>)
Mr Elder	Mr McGrath	Mr Plowman	Mr Traynor
Mrs Elliott	(<i>Warrnambool</i>)	(<i>Benambra</i>)	Mr Treasure
Mr Finn	Mr McGrath	Mr Plowman	Mr Turner
Mr Gude	(<i>Wimmera</i>)	(<i>Evelyn</i>)	Mr Weideman
Mr Hayward	Mr McLellan	Mr Reynolds	
Mr Heffernan	(<i>Frankston East</i>)	Mr Richardson	
Mrs Henderson	Mr Maclellan	Mr Rowe	<i>Tellers</i>
Mr Honeywood	(<i>Pakenham</i>)	Mr Smith	Mr Ashley
Mr Hyams	Mr Maughan	(<i>Glen Waverley</i>)	Mr Ryan

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Sandon	
Mr Baker	Mr Haermeyer	Mr Seitz	
Mr Batchelor	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Leighton	Mr Sheehan	
Mr Carli	Mr Loney	Mr Thomson	
Dr Coghill	Ms Marple	(<i>Pascoe Vale</i>)	<i>Tellers</i>
Mr Cole	Mr Micallef	Mr Thwaites	Mr Cunningham
Mr Dollis	Mr Mildenhall	Mrs Wilson	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

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

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Public Sector Management (Amendment) Bill without amendment.

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

- 14 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 9.06 p.m., adjourned until tomorrow.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 43 - Thursday, 23 March 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Legal Protection for Homosexuals** - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 7 and 15 signatures (*by Mr Doyle and Mr Bildstien, respectively*)
 - Tullamarine Freeway** - Seeking that the Minister for Roads - (a) directs that an Environmental Effects Statement be carried out as a matter of urgency in relation to the Tullamarine Freeway and its proposed widening or extension; and (b) that consultation takes place with the Commissioners of the City of Moreland, the Councillors of the City of Essendon and members of the community in these areas, bearing 75 signatures (*by Mr Thomson, Pascoe Vale*)
 - Tullamarine Freeway Toll** - Seeking that all proposals for the inequitable and regressive Tullamarine Freeway toll be abandoned, bearing 92 signatures (*by Mr Thomson, Pascoe Vale*)
 - Protection for Homeowners or Occupiers** - Seeking that the law be changed to protect the homeowner or occupier as the innocent as a result of illegal entry by felons or intruders, bearing 25 signatures (*by Mr Elder*).
- Severally ordered to lie on the Table.
- 3 **COMMUNITY DEVELOPMENT COMMITTEE** - Mr Leigh, Chairman, brought up a Report from the Community Development Committee on its Inquiry into the Needs of Families for Early Childhood Services in Health, Welfare and Education, together with Appendices, Minority Report, Extracts from the Proceedings of the Committee and Minutes of Evidence.
Ordered to lie on the Table and the Report, Appendices, Minority Report and Extracts from the Proceedings of the Committee to be printed.
- 4 **PAPER** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
- Wildlife Act 1975 - Wildlife (Hunting of Game Ducks Prohibition) Notice 1995.

- 5 **SITTING OF THE HOUSE** - Motion made and question proposed - That the House, at its rising, adjourn until Tuesday, 11 April 1995. (*Mr Gude*).

Amendment proposed - That the expression "Tuesday, 11 April 1995" be omitted with the view of inserting in place thereof the expression "2.15 p.m. on Tuesday March 28, to continue the business of the House and discuss matters of major public importance" (*Mr Brumby*) - and, after debate -

Motion made and question - That the question be now put (*Mr McGrath, Wimmera*) - put.

The House divided

AYES, 54

Mr Ashley	Mr John	Mr Perton	Mr Tanner
Mr Bildstien	Mr Kilgour	Mr Pescott	Mrs Tehan
Mr Brown	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Clark	Mr Lupton	Mr Phillips	(<i>Sandringham</i>)
Mr Coleman	Mrs McGill	Mr Plowman	Mr Traynor
Mr Cooper	Mr McGrath	(<i>Benambra</i>)	Mr Treasure
Mr Davis	(<i>Warrnambool</i>)	Mr Plowman	Mr Turner
Mr Doyle	Mr McGrath	(<i>Evelyn</i>)	Mrs Wade
Mr Elder	(<i>Wimmera</i>)	Mr Reynolds	Mr Weideman
Mrs Elliott	Mr McLellan	Mr Richardson	Mr Wells
Mr Gude	(<i>Frankston East</i>)	Mr Rowe	
Mr Hayward	Mr McNamara	Mr Ryan	
Mrs Henderson	Mr Maclellan	Mr Smith	
Mr Honeywood	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	
Mr Hyams	Mr Maughan	Mr Smith	<i>Tellers</i>
Mr Jasper	Dr Napthine	(<i>Polwarth</i>)	Mr Finn
Mr Jenkins	Mr Perrin	Mr Steggall	Mr McArthur

NOES, 23

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mrs Wilson
Mr Baker	Mr Haermeyer	Mr Sandon	
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Sercombe	
Dr Coghill	Mr Loney	Mr Thomson	<i>Tellers</i>
Mr Cole	Ms Marple	(<i>Pascoe Vale</i>)	Mr Carli
Mr Cunningham	Mr Micallef	Mr Thwaites	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

The House divided.

AYES, 54

Mr Ashley	Mr John	Mr Perton	Mrs Tehan
Mr Bildstien	Mr Kilgour	Mr Pescott	Mr Traynor
Mr Brown	Mr Leigh	Mrs Peulich	Mr Treasure
Mr Clark	Mr Lupton	Mr Phillips	Mrs Wade
Mr Coleman	Mr McArthur	Mr Plowman	Mr Weideman
Mr Cooper	Mrs McGill	(Benambra)	Mr Wells
Mr Davis	Mr McGrath	Mr Plowman	
Mr Doyle	(Warrnambool)	(Evelyn)	
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(Wimmera)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(Frankston East)	Mr Ryan	
Mr Hayward	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(Glen Waverley)	
Mr Honeywood	(Pakenham)	Mr Smith	Tellers
Mr Hyams	Mr Maughan	(Polwarth)	Mr Thompson
Mr Jasper	Dr Napthine	Mr Steggall	(Sandringham)
Mr Jenkins	Mr Perrin	Mr Tanner	Mr Turner

NOES, 24

Mr Baker	Mr Dollis	Mr Mildenhall	Mr Thwaites
Mr Batchelor	Mr Haermeyer	Mr Pandazopoulos	Mrs Wilson
Mr Bracks	Mr Hamilton	Mr Sandon	
Mr Brumby	Mr Leighton	Mr Seitz	
Mr Carli	Mr Loney	Mr Sercombe	Tellers
Dr Coghill	Ms Marple	Mr Thomson	Mr Andrianopoulos
Mr Cole	Mr Micallef	(Pascoe Vale)	Mr Cunningham

And so it was resolved in the affirmative.

Question - That the House, at its rising, adjourn until Tuesday, 11 April 1995 - put and agreed to.

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

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

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

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 21 March 1995 had expired.

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

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

- 8 **LAND (REVOCAION OF RESERVATIONS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
Bill read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 9 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr McGrath, Wimmera*) - put and agreed to.
- 10 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 3.56 p.m., adjourned until Tuesday, 11 April 1995.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos. 44, 45 and 46

No. 44 - Tuesday, 11 April 1995

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
 - 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
 - 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Surfcoast Community Health Centre, Anglesea** - Seeking that the Minister for Health sets in place an independent ministerial inquiry into the conduct of the Committee of Management, the management and the staff of the Surfcoast Community Health Centre, Anglesea, bearing 391 signatures (*by Mr Tanner*)
 - Power Industry, Latrobe Valley** - Seeking that the House will review the sell-off of the power industry in the Latrobe Valley and review employment initiatives necessary to support the region, bearing 700 signatures (*by Mr Tanner*)
 - Community Care Unit, Doveton** - Seeking that the House disallow any proposal to change the Planning Scheme to allow a Community Care Unit for Adults with Psychiatric Illness to be located at the Doveton West Primary School in order to ensure that there is no unacceptable risk to local residents from the patients, bearing 1,172 signatures (*by Mr Pandazopoulos*)
 - Legal Protection for Homosexuals** - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 91, 59 and 15 signatures (*by Mr Tanner, Mr Richardson and Mr Cole, respectively*)
 - Tullamarine Freeway** - Seeking that the Minister for Roads and Ports - (a) directs that an Environmental Effects Statement be carried out as a matter of urgency in relation to the Tullamarine Freeway and its proposed widening or extension; and (b) that consultation takes place with the Commissioners of the City of Moreland, the Councillors of the City of Essendon and members of the community in these areas, bearing 206 signatures (*by Mr Thomson, Pascoe Vale*).
- Severally ordered to lie on the Table.
- 4 **DARATECH PTY LTD** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of Daratech Pty Ltd for the year 1993-94 (*Mr McGrath, Wimmera*) - put and agreed to.
 - 5 **PAPER** - Mr McGrath (*Wimmera*) presented:
 - Daratech Pty Ltd - Report for the year 1993-94 - Return to the foregoing Order.
- Ordered to lie on the Table.

- 6 **HEALTH SERVICES COMMISSIONER** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Health Services Commissioner for the period 1 January 1993 to 30 June 1994, together with errata (*Mrs Tehan*) - put and agreed to.
- 7 **PAPER** - Mrs Tehan presented:
 Health Services Commissioner - Report for the period 1 January 1993 to 30 June 1994, together with errata - Return to the foregoing Order.
 Ordered to lie on the Table.
- 8 **ROAD SAFETY COMMITTEE** - Mr Cunningham brought up a Report from the Road Safety Committee upon the Revision of Speed Limits in Victoria, together with Appendices and Minutes of Evidence.
 Ordered to lie on the Table and the Report and Appendices to be printed.
- 9 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 3 of 1995 on the -
 Land (Revocation of Reservations) Bill
 Planning and Environment (Amendment) Bill
 Fisheries Bill
 Associations Incorporation (Amendment) Bill
 Dental Technicians (Amendment) Bill
 together with an Appendix, Submission and Response.
 Ordered to lie on the Table and the Report and Appendix to be printed.
- 10 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 Interpretation of Legislation Act 1984 - Notice under section 32(3)(a) in relation to Statutory Rule No. 218/1994
 Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
 Alexandra Planning Scheme - No. L33
 Bacchus Marsh Planning Scheme - No. L43 Part 1
 Berwick Planning Scheme - No. L73
 Box Hill Planning Scheme - No. L27
 Cranbourne Planning Scheme - Nos. L106, L110, L117
 Doncaster and Templestowe Planning Scheme - No. L73 Part 1
 Hawthorn Planning Scheme - No. L31
 Knox Planning Scheme - Nos. L82, L85
 Kyabram Planning Scheme - No. L16 Part 1
 Melbourne Planning Scheme - No. L128 Part 2
 Mildura Planning Scheme - No. L47
 Moorabbin Planning Scheme - No. L48
 Pakenham Planning Scheme - No. L94
 Phillip Island Planning Scheme - No. L62
 Port Melbourne Planning Scheme - Nos. L16, L20, L24
 Prahran Planning Scheme - No. L59
 Ringwood Planning Scheme - No. L28 Part 2
 Romsey Planning Scheme - Nos. L36, L37

South Melbourne Planning Scheme - Nos. L97, RL165
 St Kilda Planning Scheme - No. RL165
 Sunshine Planning Scheme - No. L82
 Warracknabeal Planning Scheme - No. L7
 Werribee Planning Scheme - No. L66
 Wonthaggi Planning Scheme - No. L15

Statutory Rules under the following Acts:

Children and Young Persons Act 1989 - S.R. No. 32
 Criminal Injuries Compensation Act 1983 - S.R. No. 33
 Dangerous Goods Act 1985 - S.R. Nos. 34, 35, 36
 Fisheries Act 1968 - S.R. No. 37
 Historic Buildings Act 1981 - S.R. No. 31
 Subordinate Legislation Act 1994 - S.R. No. 30

Subordinate Legislation Act 1994 -

Ministers' exception certificates in relation to Statutory Rule Nos. 30, 34, 35, 36
 Minister's exemption certificate in relation to Statutory Rule No. 37.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 6 September 1994:

Children and Young Persons (Amendment) Act 1992 - Sections 20 (7), 20 (8) and 21 on 2 April 1995 (*Gazette No. G12, 30 March 1995*)
 Financial Agreement Act 1994 - Sections 3, 4 and 5 on 23 March 1995 (*Gazette No. G11, 23 March 1995*)
 Fire Authorities (Miscellaneous Amendments) Act 1995 - Sections 4 and 16 on 23 March 1995 (*Gazette No. G11, 23 March 1995*)
 Fisheries (Amendment) Act 1994 - Remaining provisions on 30 March 1995 (*Gazette No. G12, 30 March 1995*).

- 11 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had, on 28 March 1995, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
 Office of the Regulator-General (Amendment) Bill
 Public Sector Management (Amendment) Bill.
- 12 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Planning and Environment (Amendment) Bill.
- 13 **GRIEVANCES** - Motion made, by leave, and question - That this House resolves that the resolution of the House of 2 March 1995 appointing days upon which the question "That grievances be noted" may be put, be amended by appointing Wednesday, 26 April 1995 as a day upon which the question "That grievances be noted" may be put instead of Wednesday, 19 April 1995 (*Mr Gude*) - put and agreed to.

14 VACANCIES IN THE MEMBERSHIP OF THE COUNCIL OF LA TROBE UNIVERSITY, VICTORIA UNIVERSITY OF TECHNOLOGY, AND UNIVERSITY OF BALLARAT -

Mr Speaker announced that he had received the following communications:

14 March 1995

The Hon. John Delzoppo, MP
Speaker
Legislative Assembly
Parliament House
Spring Street
MELBOURNE VIC 3000

Dear Mr Speaker

Section 7(1)(a) of the *La Trobe University Act 1964* provides for the appointment to the Council by the Governor in Council of 3 persons who shall be Members of the Parliament of Victoria recommended for appointment by a joint sitting by the members of the Legislative Council and the Legislative Assembly conducted in accordance with rules adopted for the purpose by the members present at the sitting. The persons currently holding appointments to the Council under these provisions are:-

Hon Ron Best, MLC
Hon Theo Theophanous, MLC
Hon Ron Wells, MLC.

The term of appointment for these positions is four years. The current term for the Hon Ron Best and the Hon Theo Theophanous expired on 18 December 1994, and that for the Hon Ron Wells expires on 7 May 1995.

Clause 37 of the University Acts (Amendment) Act provided for all members of the Council of Victoria University of Technology holding office on 31 December, 1994 to go out of office on that date. Clause 29 (1)(j) provided for further appointment of 3 persons appointed by the Governor in Council who shall be Members of the Parliament of Victoria recommended for appointment by a joint sitting by the members of the Legislative Council and the Legislative Assembly conducted in accordance with rules adopted for the purpose by the members present at the sitting.

Members who held appointments to the Council until 31 December 1994 were:-

Hon David Evans, MLC
Hon Licia Kokocinski, MLC
Mr Ian Davis, MP.

It is desirable that 3 persons who are members of the Parliament can be recommended for appointment by the Governor in Council as soon as possible. The appointments will be for a 3 year term commencing on 1 January 1995.

I seek your agreement to convene a joint sitting of members of the Legislative Assembly and the Legislative Council so that persons can be recommended to the Governor in Council for appointment to the Councils of La Trobe University and Victoria University of Technology under these provisions.

Yours sincerely,

Haddon Storey, QC, MLC
Minister for Tertiary Education and Training

24 March, 1995

The Hon. John Delzoppo, MP
 Speaker
 Legislative Assembly
 Parliament House
 Spring Street
 MELBOURNE VIC 3000

Dear Mr Speaker

Section 7(2)(g) of the *University of Ballarat Act 1993* provides for the appointment to the Council by the Governor in Council of three persons who are members of the Parliament of Victoria recommended for appointment by a joint sitting of the members of the Legislative Council and the Legislative Assembly, conducted in accordance with rules adopted for the purpose by the members present at the sitting.

Mr Bruce Mildenhall, MP, who was appointed to the Council of University of Ballarat under these provisions, has resigned from his position and an election is required to recommend the name of a person to fill the resulting casual vacancy.

The appointment will be for the balance of a term of 3 years from the date of appointment until 26 April 1997. It would be appreciated if you could arrange for this election to be conducted at the same time as the other elections requested in my letter to you of 14 March 1995.

Yours sincerely

Haddon Storey, QC, MLC
 Minister for Tertiary Education and Training

Motion made and question - That this House meets the Legislative Council for the purpose of sitting and voting together to choose Members of the Parliament to be recommended for appointment to the Councils of the La Trobe University, the Victoria University of Technology and the University of Ballarat and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Wednesday, 12 April 1995 at 6.00 p.m. (*Mr Gude*) - put and agreed to.

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

- 15 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 3.00 p.m. on Thursday, 13 April 1995:

Planning and Environment (Amendment) Bill
 Associations Incorporation (Amendment) Bill
 Latrobe Regional Commission (Repeal) Bill

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

- 16 **FISHERIES BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until there has been adequate consultation with the various interest groups involved with the fishing industry." (*Ms Marple*) - and, after debate -

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

- 17 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.57 p.m.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 45 - Wednesday, 12 April 1995

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

Solicitors - Seeking that the House take action to ensure - (a) the law requiring solicitors to produce the audit of their trust accounts by 31 July each year be strictly enforced; (b) the Law Institute investigates complaints diligently, speedily and without bias; and (c) the Solicitor's Board and Lay Observer be disbanded, bearing 9 signatures (*by Mr Tanner*)

Legal Protection for Homosexuals - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 72 signatures (*by Mr Tanner*)

Port of Geelong - Seeking that the Government retain the Port of Geelong and its assets as a public owned and controlled entity, bearing 2,098 signatures (*by Mrs Henderson*).

Severally ordered to lie on the Table.

- 3 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Weideman, Chairman, brought up Reports from the Public Accounts and Estimates Committee upon the -

Appointment of an Auditor to conduct a performance audit of the Auditor-General, together with Appendices; and

Appointment of an Auditor to conduct a financial audit of the Victorian Auditor-General's Office, together with Appendices.

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

- 4 **MESSAGES FROM THE LEGISLATIVE COUNCIL** -

Acquainting the Assembly that they have agreed to meet the Assembly for the purpose of sitting and voting together to recommend Members of the Parliament of Victoria for appointment to the Councils of the La Trobe University, Victoria University of Technology and University of Ballarat, as proposed by the Assembly.

Agreeing to the following Bills without amendment:

Courts (General Amendment) Bill
Statute Law Revision Bill

National Environment Protection Council (Victoria) Bill
Road Safety (Amendment) Bill.

- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Transport (Tow Truck Reform) Bill with amendments.

Ordered - That the said amendments be printed and taken into consideration, by leave, later this day.

- 6 **ADJOURNMENT MOTION - REFUSAL BY ATTORNEY-GENERAL TO INVESTIGATE STATEMENTS** - Mr Brumby proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

“The Government’s contempt for the democratic process and the doctrine of the separation of powers as evidenced by the refusal of the Attorney-General on Tuesday, 11 April in Questions Without Notice, to investigate the statements made by Crown Counsel, Mr Greg Craven, at a meeting on 6 October 1993 and given that the statements made by Mr Craven, if true, constitute a serious attack on the independence of the Director of Public Prosecutions thereby necessitating the Attorney-General to stand aside pending a full independent Board of Inquiry”.

Mr Speaker having ascertained that twelve members approved of the proposed discussion -

Motion made and question - That the House do now adjourn (*Mr Brumby*) - after debate, put.

The House divided.

AYES, 27

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Dr Vaughan
Mr Baker	Ms Garbutt	Mr Sandon	Mrs Wilson
Mr Batchelor	Mr Haermeyer	Mr Seitz	
Mr Bracks	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Leighton	Mr Sheehan	
Dr Coghill	Mr Loney	Mr Thomson	<i>Tellers</i>
Mr Cole	Ms Marple	(<i>Pascoe Vale</i>)	Mr Carli
Mr Cunningham	Mr Micallef	Mr Thwaites	Mr Pandazopoulos

NOES, 53

Mr Ashley	Mr Jasper	Mrs Peulich	Mr Stockdale
Mr Bildstien	Mr Jenkins	Mr Phillips	Mr Tanner
Mr Clark	Mr John	Mr Plowman	Mrs Tehan
Mr Coleman	Mr Kilgour	(<i>Benambra</i>)	Mr Thompson
Mr Cooper	Mr Leigh	Mr Plowman	(<i>Sandringham</i>)
Mr Davis	Mrs McGill	(<i>Evelyn</i>)	Mr Traynor
Dr Dean	Mr McGrath	Mr Reynolds	Mr Treasure
Mr Doyle	(<i>Warrnambool</i>)	Mr Richardson	Mrs Wade
Mr Elder	Mr McNamara	Mr Rowe	Mr Weideman
Mrs Elliott	Mr Maclellan	Mr Ryan	Mr Wells
Mr Gude	(<i>Pakenham</i>)	Mr Smith	
Mr Hayward	Mr Maughan	(<i>Glen Waverley</i>)	
Mr Heffernan	Dr Napthine	Mr Smith	
Mrs Henderson	Mr Paterson	(<i>Polwarth</i>)	<i>Tellers</i>
Mr Honeywood	Mr Perrin	Mr Spry	Mr Finn
Mr Hyams	Mr Perton	Mr Steggall	Mr McArthur

And so it passed in the negative.

- 7 **VICTORIAN COMMUNITY COUNCIL AGAINST VIOLENCE** - Motion made and question proposed - That the House commends the Government for restructuring the Victorian Community Council Against Violence to include three taskforces, and for the valuable work that has been produced by the restructured Council (*Mrs Elliott*).

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

- 8 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 9 **FOOD (AMENDMENT) BILL** - Mrs Tehan, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the Food Act 1984 and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **HEALTH ACTS (AMENDMENT) BILL** - Mrs Tehan, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the 'Ambulance Services Act 1986', the 'Health Act 1958' and the 'Cemeteries Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **AUSTRALIAN FOOD INDUSTRY SCIENCE CENTRE BILL** - Mr McGrath (*Wimmera*), after debate, obtained leave with Mr McNamara, to bring in a Bill "*to establish the Australian Food Industry Science Centre and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **PLANT HEALTH AND PLANT PRODUCTS BILL** - Mr McGrath (*Wimmera*), after debate, obtained leave with Mr McNamara, to bring in a Bill "*to provide for plant pest and disease control and plant product description, to amend the 'Agricultural Industry Development Act 1990' to provide for industry funded control measures and compensation schemes, to repeal the 'Fruit and Vegetables Act 1958', the 'Seeds Act 1982' and the 'Vegetation and Vine Diseases Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **FINANCIAL INSTITUTIONS (VICTORIA) (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Financial Institutions (Victoria) Act 1992' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **CORONERS (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the 'Coroners Act 1985' to provide for the Victorian Institute of Forensic Medicine and to make further provision for inquests into deaths and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **TREASURY CORPORATION OF VICTORIA (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Smith (*Polwarth*), to bring in a Bill "*to amend the 'Treasury Corporation of Victoria Act 1992' and repeal the 'Victorian Debt Retirement Fund Act 1990' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 16 **MILDURA COLLEGE LANDS (AMENDMENT) BILL** - Mr Hayward obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Mildura College Lands Act 1916' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 **PLANNING AND ENVIRONMENT (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 **VACANCIES IN THE MEMBERSHIP OF THE COUNCIL OF LA TROBE UNIVERSITY, VICTORIA UNIVERSITY OF TECHNOLOGY AND UNIVERSITY OF BALLARAT** - Mr Speaker reported that, that day, this House met with the Legislative Council for the purpose of sitting and voting together to choose Members of the Parliament to be recommended for appointment to the Councils of the La Trobe University, the Victoria University of Technology and the University of Ballarat, and that -
- The Honourable Ronald Alexander Best, M.L.C.; and
The Honourable Theo Charles Theophanous, M.L.C. -
- were recommended for appointment as members of the Council of the La Trobe University consequent on the expiration of the terms of office on 18 December 1994; and
- The Honourable Dr. Ronald James Herbert Wells, M.L.C. -
- was recommended for appointment as a member of the Council of the La Trobe University consequent on the expiration of the term of office on 7 May 1995; and
- George Ian Davis, Esquire, M.P.;
The Honourable David Mylor Evans, M.L.C.; and
The Honourable Licia Kokocinski, M.L.C. -
- were recommended for appointment as members of the Council of Victoria University of Technology; and
- Stephen Phillip Bracks, Esquire, M.P. -
- was recommended for appointment as a member of the Council of the University of Ballarat.
- 19 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Coastal Management Bill without amendment.
- 20 **ASSOCIATIONS INCORPORATION (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment circulated.
- Debate resumed on question - That this Bill be now read a second time.
- Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read a third time.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 21 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.

- 22 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 9.30 p.m., adjourned until tomorrow.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 46 - Thursday, 13 April 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Legal Protection for Homosexuals** - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 48, 181 and 71 signatures (*by Mr Traynor, Mr Tanner and Mr Leigh, respectively*)
 - Terminal Gate Pricing** - Seeking that the Government support the introduction of a system of terminal gate pricing as recommended by the Victorian Coalition Back Bench Petrol Pricing Committee, bearing 11,005, 8,520, 10,203, 13,115, 9,186 and 13,559 signatures (*by Mr Plowman (Benambra), Mr Treasure, Mr Ryan, Mr Jasper, Mr Maughan and Mr Kilgour, respectively*)
 - Privatisation Campaign** - Seeking that the Government immediately abandon its privatisation campaign and ensure that the SECV, Melbourne Water and the Gas and Fuel Corporation stay in Victorian hands, bearing 220 signatures (*by Mr Seitz*)
 - Private Prison, Craigieburn** - Seeking that the Government immediately abandon all plans to build a private prison in Craigieburn, bearing 2,146 signatures (*by Mr Haermeyer*).
- Severally ordered to lie on the Table.
- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Constitution Act Amendment Act 1958 - Statements of functions conferred on the Electoral Commissioner, 28 March 1995 (two papers)
 - Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
 - Buninyong Planning Scheme - No. L40 Part B
 - Greater Geelong Planning Scheme - Nos. R109, R111, RL108
 - Lowan Planning Scheme - No. L13
 - Narracan Planning Scheme - No. L42
 - Wangaratta City Planning Scheme - No. L21

Statutory Rules under the following Acts:

Forests Act 1958 - S.R. No. 39

Road Safety Act 1986 - S.R. No. 40

Trustee Companies Act 1984 - S.R. 38

Subordinate Legislation Act 1994 - Minister's exemption certificate in relation to Statutory Rule No. 38

Transport Act 1983 - Order for Transfer of Assets and Liabilities pursuant to section 81.

- 4 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Wednesday, 26 April 1995 (*Mr Gude*) - put and agreed to.
- 5 **AUSTRALIAN FOOD INDUSTRY SCIENCE CENTRE BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).
Mr McGrath (Wimmera) made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.
Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
Ordered - That the debate be adjourned until Wednesday, 26 April 1995.
- 6 **FINANCIAL INSTITUTIONS (VICTORIA) (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
Ordered, after debate - That the debate be adjourned until Wednesday, 26 April 1995.
- 7 **FOOD (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
Motion made and question - That the debate be now adjourned (*Mr Thwaites*) - put and agreed to.
Ordered - That the debate be adjourned until Wednesday, 26 April 1995.
- 8 **HEALTH ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
Motion made and question - That the debate be now adjourned (*Mr Thwaites*) - put and agreed to.
Ordered - That the debate be adjourned until Wednesday, 26 April 1995.
- 9 **TREASURY CORPORATION OF VICTORIA (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.
Ordered - That the debate be adjourned until Wednesday, 26 April 1995.
- 10 **CORONERS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.

Ordered - That the debate be adjourned until Thursday, 27 April 1995.

- 11 **MILDURA COLLEGE LANDS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Hayward*).

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

Ordered - That the debate be adjourned until Thursday, 27 April 1995.

- 12 **PLANT HEALTH AND PLANT PRODUCTS BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).

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

Ordered - That the debate be adjourned until Thursday, 27 April 1995.

- 13 **LATROBE REGIONAL COMMISSION (REPEAL) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and, subsequent to the government appointed commissioners being replaced by elected councillors in the new municipalities of Latrobe, Wellington, South Gippsland and Baw Baw, a new Bill be drafted taking into consideration the views of the elected municipal representatives." (*Mr Hamilton*) - and, after debate -

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

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

- 15 **LATROBE REGIONAL COMMISSION (REPEAL) BILL** - Debate continued on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and, subsequent to the government appointed commissioners being replaced by elected councillors in the new municipalities of Latrobe, Wellington, South Gippsland and Baw Baw, a new Bill be drafted taking into consideration the views of the elected municipal representatives."

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 11 April 1995 had expired.

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

The House divided.

AYES, 55

Mr Ashley	Mr Jasper	Mr Perrin	Mr Steggall
Mr Bildstien	Mr Jenkins	Mr Pescott	Mr Tanner
Mr Brown	Mr John	Mrs Peulich	Mrs Tehan
Mr Clark	Mr Kilgour	Mr Phillips	Mr Thompson
Mr Coleman	Mr Leigh	Mr Plowman	(Sandringham)
Mr Cooper	Mr McArthur	(Benambra)	Mr Treasure
Mr Davis	Mrs McGill	Mr Plowman	Mr Turner
Dr Dean	Mr McGrath	(Evelyn)	Mrs Wade
Mr Doyle	(Wimmera)	Mr Reynolds	Mr Weideman
Mr Elder	Mr McLellan	Mr Richardson	Mr Wells
Mrs Elliott	(Frankston East)	Mr Rowe	
Mr Finn	Mr McNamara	Mr Ryan	Tellers
Mr Gude	Mr Maclellan	Mr Smith	Mrs Henderson
Mr Hayward	(Pakenham)	(Glen Waverley)	Mr Traynor
Mr Heffernan	Mr Maughan	Mr Smith	
Mr Honeywood	Dr Napthine	(Polwarth)	
Mr Hyams	Mr Paterson	Mr Spry	

NOES, 26

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Sandon	
Mr Batchelor	Mr Haermeyer	Mr Seitz	
Mr Bracks	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Leighton	Mr Sheehan	
Dr Coghill	Mr Loney	Mr Thomson	Tellers
Mr Cole	Ms Marple	(Pascoe Vale)	Mr Carli
Mr Cunningham	Mr Micallef	Dr Vaughan	Mr Pandazopoulos

And so it passed in the negative.

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

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

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

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

And the House, at 3.54 p.m., adjourned until Wednesday, 26 April 1995.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 47 and 48

No. 47 - Wednesday, 26 April 1995

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Legal Protection for Homosexuals** - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 91, 31 and 117 signatures (*by Mr Jenkins, Mr Turner and Mr Micallef, respectively*).Severally ordered to lie on the Table.
- 3 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Dr Coghill brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 4 of 1995, on the -
 - Mildura College Lands (Amendment) Bill
 - Coroners (Amendment) Bill
 - Treasury Corporation of Victoria (Amendment) Bill
 - Food (Amendment) Bill
 - Financial Institutions (Victoria) (Amendment) Bill
 - Health Acts (Amendment) Bill
 - Australian Food Industry Science Centre Bill
 - Plant Health and Plant Products Billtogether with an Appendix.
Ordered to lie on the Table and to be printed.
- 4 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Annual Reporting Act 1983 - Notification from the Minister for Natural Resources of the following Authorities' failure to submit annual reports and the reasons therefor:
 - Cohuna Shire Council Water and Wastewater Components
 - First Mildura Irrigation Trust
 - Macedon Region Water Authority
 - Wodonga Rural City Council Water and Wastewater Operations
 - Chiropodists Registration Board - Report for the year 1994
 - Cohuna Shire Council Water and Wastewater Components - Report for the year ended 30 September 1994
 - First Mildura Irrigation Trust - Report for the year 1993-94
 - Macedon Region Water Authority - Report for the year 1993-94

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

Berwick Planning Scheme - No. L77
 Bright Planning Scheme - No. L42
 Creswick Planning Scheme - No. L3
 Fitzroy Planning Scheme - No. L46
 Healesville Planning Scheme - No. L53
 Lillydale Planning Scheme - No. L145
 Melbourne Planning Scheme - No. L175
 Phillip Island Planning Scheme - Nos. L55, L63
 South Melbourne Planning Scheme - No. L98
 Werribee Planning Scheme - No. L74

Prevention of Cruelty to Animals Act 1986 - Code of Practice for the Husbandry of Captive Emus (Victoria)

Statutory Rules under the following Acts:

Magistrates' Court Act 1989 - S.R. No. 44
 Mental Health Act 1986 - S.R. No. 42
 Road Safety Act 1986 - S.R. No. 43
 Supreme Court Act 1986 - S.R. No. 41

Subordinate Legislation Act 1994 -

Ministers' exception certificates in relation to Statutory Rule Nos. 41, 42, 44
 Minister's exemption certificate in relation to Statutory Rule No. 43

Wodonga Rural City Council Water and Wastewater Functions - Report for the year ended 30 September 1994.

- 5 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 3.30 p.m. on Thursday, 27 April 1995:

Transport (Tow Truck Reform) Bill
 Australian Food Industry Science Centre Bill
 Financial Institutions (Victoria) (Amendment) Bill
 Food (Amendment) Bill
 Health Acts (Amendment) Bill

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

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

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

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

On 19 April 1995

Road Safety (Amendment) Bill

On 26 April 1995

Coastal Management Bill

Courts (General Amendment) Bill

National Environment Protection Council (Victoria) Bill

Statute Law Revision Bill.

- 9 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor recommending appropriations for the purposes of the following Bills:
- Australian Food Industry Science Centre Bill
 - Coroners (Amendment) Bill
 - Health Acts (Amendment) Bill
 - Plant Health and Plant Products Bill
 - Treasury Corporation of Victoria (Amendment) Bill.
- 10 **STAMPS (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Smith (*Polwarth*), to bring in a Bill "*to amend the 'Stamps Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **FINANCIAL MANAGEMENT AND AUDIT ACTS (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Smith (*Polwarth*), to bring in a Bill "*to amend the 'Financial Management Act 1994', the 'Audit Act 1994' and other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **FINANCIAL INSTITUTIONS DUTY (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Smith (*Polwarth*), to bring in a Bill "*to amend the 'Financial Institutions Duty Act 1982' and the 'Administrative Appeals Tribunal Act 1984' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **LOCAL GOVERNMENT (FURTHER AMENDMENT) BILL** - Mr Maclellan (*Pakenham*), after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the 'Local Government Act 1989', the 'Audit Act 1994' and the 'Local Government (Amendment) Act 1994' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **GAS AND FUEL CORPORATION (REPEAL) BILL** - Mr Plowman (*Evelyn*) obtained leave, with Mr Stockdale, to bring in a Bill "*to provide for the winding up of the Gas and Fuel Corporation of Victoria, to repeal the 'Gas and Fuel Corporation Act 1958', to amend the 'State Electricity Commission Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **RETAIL TENANCIES (AMENDMENT) BILL** - Mr Heffernan obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Retail Tenancies Act 1986' to establish a conciliation procedure, to extend the prohibition on key-money and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **ROYAL BOTANIC GARDENS AND VICTORIAN CONSERVATION TRUST (AMENDMENT) BILL** - Mr Coleman, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the 'Royal Botanic Gardens Act 1991', to amend the 'Victorian Conservation Trust Act 1972', to make various amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 17 **TRADE MEASUREMENT BILL** - Mr Heffernan obtained leave, with Mr Gude, to bring in a Bill "*relating to trade measurement in Victoria as part of the scheme for uniform trade measurement legislation throughout Australia and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 18 **TRADE MEASUREMENT (ADMINISTRATION) BILL** - Mr Heffernan obtained leave, with Mr Gude, to bring in a Bill "*relating to the administration of the 'Trade Measurement Act 1995', to repeal the 'Weights and Measures Act 1958', to amend certain Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 **TRANSPORT (TOW TRUCK REFORM) BILL** - Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and agreed to by the House.
Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 20 **AUSTRALIAN FOOD INDUSTRY SCIENCE CENTRE BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported without amendment; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 21 **FINANCIAL INSTITUTIONS (VICTORIA) (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 22 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Dental Technicians (Amendment) Bill with amendments.
Ordered - That the said amendments be printed and taken into consideration tomorrow.
- 23 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Judicial Remuneration Tribunal Bill with amendments.
Ordered - That the said amendments be printed and taken into consideration tomorrow.
- 24 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
Corporations (Victoria) (Amendment) Bill
Land (Revocation of Reservations) Bill.
- 25 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 4 to 6 inclusive, be postponed until later this day.

- 26 **FISHERIES BILL** - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until there has been adequate consultation with the various interest groups involved with the fishing industry"; debate resumed.
- Motion made and question - That the debate be now adjourned (*Mr Thompson, Sandringham*) - put and agreed to.
- Ordered - That the debate be adjourned until tomorrow.
- 27 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Coleman*) - put and agreed to.
- 28 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 10.12 p.m., adjourned until tomorrow.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 48 - Thursday, 27 April 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Central Highlands Water Board** - Seeking that the House take all necessary steps to ensure that the residents of Daylesford are not disadvantaged by the changes recently introduced by the Central Highlands Water Board, bearing 1,042 signatures (*by Mr Traynor*)
- Legal Protection for Homosexuals** - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 2,601, 82 and 57 signatures (*by Mr Perrin, Mr Tanner and Mr Hyams, respectively*)
- Penalties for Serious Sexual Offences** - Seeking that the law be amended to ensure that penalties for serious sexual offences fit the crimes, bearing 3,554 signatures (*by Mr Hyams*)
- Workers Compensation System** - Seeking that all steps are taken to ensure that injured workers are covered by a fair and just workers compensation system which provides decent benefits and genuine rehabilitation and return to work programs, bearing 18 signatures (*by Mr Pandazopoulos*)
- Pakenham Railway Line** - Seeking that the Government will give an undertaking to maintain staff on the Pakenham railway line in the interests of service to and safety of users of these stations, bearing 23 signatures (*by Mr Pandazopoulos*)

SECV Utility Surcharge Increases - Seeking that the House will take steps to ensure that SECV utility surcharge increases will not affect the ability of low income earners to live on their limited incomes, bearing 48 signatures (*by Mr Pandazopoulos*).

Severally ordered to lie on the Table.

- 3 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Weideman, Chairman, brought up a Report from the Public Accounts and Estimates Committee upon the Committee's activities during 1994, together with Appendices.

Ordered to lie on the Table and to be printed.

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

Exhibition Trustees - Report for the year 1994

Statutory Rules under the following Acts:

Business Names Act 1962 - S.R. No. 45

Public Sector Management Act 1992 - S.R. No. 46

Subordinate Legislation Act 1994 - Minister's exemption certificate in relation to Statutory Rule No. 46.

- 5 **FINANCIAL AUDIT OF THE AUDITOR-GENERAL'S OFFICE** - Motion made, by leave, and question - That, pursuant to section 17 of the Audit Act 1994, Mr Douglas N. Bartley of KPMG be appointed to conduct the audit of the Auditor-General's Office in accordance with the conditions of appointment and remuneration contained in Appendix B of the Report of the Public Accounts and Estimates Committee upon the Appointment of an Auditor to Conduct a Financial Audit of the Victorian Auditor-General's Office (Parliamentary Paper No. 36, Session 1994-95) (*Mr McGrath, Wimmera*) - put and agreed to.

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

- 6 **PERFORMANCE AUDIT OF THE AUDITOR-GENERAL** - Motion made, by leave, and question - That, pursuant to section 19 of the Audit Act 1994, Mr Alan Talbot of Price Waterhouse be appointed to conduct the performance audit of the Auditor-General in accordance with the directions, terms and conditions and remuneration contained in Appendix B of the Report of the Public Accounts and Estimates Committee upon the Appointment of an Auditor to Conduct a Performance Audit of the Auditor-General (Parliamentary Paper No. 35, Session 1994-95) (*Mr McGrath, Wimmera*) - put and agreed to.

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

- 7 **MEDICAL PRACTICE AND NURSES ACTS (AMENDMENT) BILL** - Mrs Tehan obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "to amend the 'Medical Practice Act 1994' and the 'Nurses Act 1993' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 8 **MELBOURNE AND OLYMPIC PARKS (AMENDMENT) BILL** - Mr Reynolds, after debate, obtained leave with Mr McGrath (*Wimmera*), to bring in a Bill "to amend the 'National Tennis Centre Act 1985' to change the title of that Act to the 'Melbourne and Olympic Parks Act 1985', to replace the National Tennis Centre Trust with the Melbourne and Olympic Parks Trust, to make provision for the administration of Olympic Park and further provision for the administration of the National Tennis Centre, to amend the 'Melbourne Cricket Ground Act 1933' to make further

provision for the appointment of deputies as trustees and other matters, to amend the 'Melbourne Cricket Ground Act 1984' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 9 **GAMING ACTS (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr McGrath (*Wimmera*), to bring in a Bill "to amend the 'Casino Control Act 1991', the 'Casino (Management Agreement) Act 1993', the 'Gaming Machine Control Act 1991', the 'Club Keno Act 1993', the 'Gaming and Betting Act 1994' and the 'Lotteries Gaming and Betting Act 1966' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 10 **NATIONAL PARKS (YARRA RANGES AND OTHER AMENDMENTS) BILL** - Mr Coleman, after debate, obtained leave with Mr McGrath (*Wimmera*), to bring in a Bill "to amend the 'National Parks Act 1975', the 'Forests Act 1958' and the 'Alpine Resorts Act 1983' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time, by leave, later this day.

- 11 **STAMPS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Smith, Polwarth*).
 Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.
 Ordered - That the debate be adjourned until Tuesday, 9 May 1995.

- 12 **FINANCIAL INSTITUTIONS DUTY (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Smith, Polwarth*).
 Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.
 Ordered - That the debate be adjourned until Tuesday, 9 May 1995.

- 13 **RETAIL TENANCIES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).
Mr McGrath (Wimmera) made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.
 Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.
 Ordered - That the debate be adjourned until Tuesday, 9 May 1995.

- 14 **TRADE MEASUREMENT BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).
 Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.
 Ordered - That the debate be adjourned until Tuesday, 9 May 1995.

- 15 **TRADE MEASUREMENT (ADMINISTRATION) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).
 Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.
 Ordered - That the debate be adjourned until Tuesday, 9 May 1995.

- 16 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 6 and 7, be postponed until later this day.

- 17 **FINANCIAL MANAGEMENT AND AUDIT ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
 Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 11 May 1995.
- 18 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 9 be postponed until later this day.
- 19 **GAS AND FUEL CORPORATION (REPEAL) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Plowman, Evelyn*).
 Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 11 May 1995.
- 20 **FOOD (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
*Business having been interrupted at 2.00 p.m.
 pursuant to Sessional Orders.*
- 21 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 22 **FOOD (AMENDMENT) BILL** - Debate continued on question - That this Bill be now read a second time; Bill read a second time and, by leave, read a third time forthwith.
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 23 **HEALTH ACTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Wednesday, 26 April 1995 had expired.
 Question - That this Bill be now read a second time - put and agreed to.
 Question - That this Bill be now read a third time and be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.
- 24 **LOCAL GOVERNMENT (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).
 Motion made and question - That the debate be now adjourned (*Mr Leighton*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 11 May 1995.
- 25 **ROYAL BOTANIC GARDENS AND VICTORIAN CONSERVATION TRUST (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).
 Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 11 May 1995.

- 26 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Maclellan, Pakenham*) - put and agreed to.
- 27 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 4.44 p.m., adjourned until Tuesday, 2 May 1995.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos. 49, 50 and 51

No. 49 - Tuesday, 2 May 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
 - Legal Protection for Homosexuals** - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 60 signatures (*by Mr Tanner*)Ordered to lie on the Table.
- 4 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Weideman, Chairman, brought up a Special Report from the Public Accounts and Estimates Committee upon an Investigation into a Possible Breach of the Standing Orders, together with Appendices and Extracts from the Proceedings of the Committee.
Ordered to lie on the Table and to be printed.
- 5 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
 - Avoca Planning Scheme - No. L15
 - Benalla Shire Planning Scheme - No. L19
 - Bulla Planning Scheme - No. L105
 - Doncaster and Templestowe Planning Scheme - No. L53
 - Greater Bendigo Planning Scheme - No. L13
 - Greater Geelong Planning Scheme - Nos. RL71, RL106
 - Heidelberg Planning Scheme - Nos. L64, L72
 - Kilmore Planning Scheme - No. L79
 - Moorabbin Planning Scheme - No. L33
 - Moreland Planning Scheme - No. L5
 - Northcote Planning Scheme - No. L35
 - Rodney Planning Scheme - No. L78
 - Romsey Planning Scheme - Nos. L40, L43
 - Surf Coast Planning Scheme - No. R24
 - Whittlesea Planning Scheme - No. L81 Part 2
 - Yea Planning Scheme - No. L7.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 6 September 1994:

Administration and Probate (Amendment) Act 1994 - Sections 3, 4, 7, 8, 9, 10, 11, 12, 13, 14 and 15 on 27 April 1995 (*Gazette No. G16, 27 April 1995*)

Courts (General Amendment) Act 1995 - Parts 3 and 4 (except section 12) on 27 April 1995 (*Gazette No. G16, 27 April 1995*).

- 6 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had, that day, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:
- Corporation (Victoria) (Amendment) Bill
Land (Revocation of Reservations) Bill.
- 7 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Appropriation (Interim 1995-96) Bill.
- 8 **APPROPRIATION (INTERIM 1995-96) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "*to make interim appropriation of moneys out of the Consolidated Fund for recurrent services and for certain works and purposes for the period July to October 1995*"; and the said Bill was read a first time, ordered to be printed and read a second time forthwith.
- Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 4 May 1995.
- 9 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Appropriation (Parliament) (Interim 1995-96) Bill.
- 10 **APPROPRIATION (PARLIAMENT) (INTERIM 1995-96) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "*to make interim appropriation of moneys out of the Consolidated Fund for recurrent services and for certain works and purposes for the Parliament for the period July to October 1995*"; and the said Bill was read a first time, ordered to be printed and read a second time forthwith.
- Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 4 May 1995.

- 11 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 3.30 p.m. on Thursday, 4 May 1995:

Treasury Corporation of Victoria (Amendment) Bill
Mildura College Lands (Amendment) Bill
Coroners (Amendment) Bill
Plant Health and Plant Products Bill
Dental Technicians (Amendment) Bill
Judicial Remuneration Tribunal Bill

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

- 12 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - VACANCY IN THE SENATE** - Mr Speaker announced the presentation of a message from His Excellency the Governor, and the same was read:

R.E. McGARVIE
Governor of Victoria

The Governor transmits to the Legislative Assembly a copy of a despatch which has been received from the Honourable the President of the Senate notifying that a vacancy has happened in the representation of the State of Victoria in the Senate of the Commonwealth of Australia.

Government House,
Melbourne, 3004
15 March 1995

President of the Senate,
Parliament House
Canberra.
7 March 1995

His Excellency the Honourable Richard E. McGarvie A.C.
Governor of Victoria
Government House
Government House Drive
Melbourne VIC 3004

Your Excellency,

Pursuant to section 21 of the Commonwealth of Australia Constitution, I notify Your Excellency that a vacancy has happened in the representation of the State of Victoria through the death of Senator Alice Olive Zakharov on 6 March 1995.

Yours sincerely,

MICHAEL BEAHAN
President of the Senate

Ordered to be taken into consideration forthwith.

Motion made and question - That this House meets the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the death of Senator Alice Olive Zakharov and proposes that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday, 3 May 1995 at 6.00 p.m. (*Mr Gude*) - put and agreed to.

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

13 MESSAGES FROM THE LEGISLATIVE COUNCIL -

Acquainting the Assembly that they have concurred with the Assembly in the appointment of Mr Alan Talbot to conduct the performance audit of the Auditor-General.

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

14 NATIONAL PARKS (YARRA RANGES AND OTHER AMENDMENTS) BILL - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).

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

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

Ordered - That the debate be adjourned until Tuesday, 16 May 1995.

15 POSTPONEMENT OF ORDERS OF THE DAY - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 2 to 7 inclusive, be postponed until later this day.

16 MEDICAL PRACTICE AND NURSES ACTS (AMENDMENT) BILL - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).

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

Ordered - That the debate be adjourned until Tuesday, 16 May 1995.

17 TREASURY CORPORATION OF VICTORIA (AMENDMENT) BILL - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

18 MILDURA COLLEGE LANDS (AMENDMENT) BILL - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

19 MESSAGE FROM THE LEGISLATIVE COUNCIL - Agreeing to the Associations Incorporation (Amendment) Bill without amendment.

- 20 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Acquainting the Assembly that they have agreed to meet the Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the death of Senator Alice Olive Zakharov as proposed by the Assembly.
- 21 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Latrobe Regional Commission (Repeal) Bill without amendment.
- 22 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 23 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 8.56 p.m., adjourned until tomorrow.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 50 - Wednesday, 3 May 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Legal Protection for Homosexuals** - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 68, 655 and 30 signatures (*by Mr Tanner, Mr Perrin and Mr Wells, respectively*)
 - Apollo Bay Waste Water Treatment Plant** - Seeking that the House oppose the selection of the T9 Farm Site as the proposed location for the Apollo Bay Waste Water Treatment Plant, bearing 990 signatures (*by Mr Tanner*).Severally ordered to lie on the Table.
- 3 **PAPER** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
 - Loddon-Campaspe Regional Planning Authority - Report for the year ended 30 September 1994.
- 4 **HOSPITAL REMUNERATION TRIBUNAL** - Motion made and question proposed - That this House calls on the Government to introduce legislation to establish a hospital remuneration tribunal with compulsory powers of conciliation and arbitration to - (a) determine the terms and conditions of employment and salaries of medical practitioners employed in Victorian hospitals; and (b) determine the rates of remuneration of medical practitioners providing services to Victorian hospitals under sessional and other contracts (*Mr Thwaites*) - and, after debate -

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

- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 6 **INFERTILITY TREATMENT BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to regulate procedures for the treatment of infertility and research using human reproductive material, to make provisions with respect to surrogacy agreements, to repeal the 'Infertility (Medical Procedures) Act 1984' and to amend various other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 **HEALTH SERVICES (METROPOLITAN HOSPITALS) BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to make certain amendments to the 'Health Services Act 1988', to adopt the Medicare Principles and Commitments and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **LEGAL AID COMMISSION (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Legal Aid Commission Act 1978' and to make consequential amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **CONSUMER CREDIT (VICTORIA) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to regulate the provision of consumer credit, to amend the 'Credit (Administration) Act 1984' and the 'Credit Act 1984' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **PUBLIC PROSECUTIONS (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the 'Public Prosecutions Act 1994' and the 'Constitution Act 1975' and make consequential amendments to certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **EQUAL OPPORTUNITY BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill "*to re-enact and extend the law relating to equal opportunity and discrimination, to repeal the 'Equal Opportunity Act 1984', to make consequential amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **PLANNING AND ENVIRONMENT (MISCELLANEOUS AMENDMENTS) BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr Gude, to bring in a Bill "*to make miscellaneous amendments to the 'Planning and Environment Act 1987' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **PLANNING AND ENVIRONMENT (DEVELOPMENT CONTRIBUTIONS) BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Planning and Environment Act 1987' in relation to development contributions and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

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- 14 **WATER INDUSTRY (AMENDMENT) BILL** - Mr Coleman obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Water Industry Act 1994', the 'Water Act 1989', the 'Melbourne and Metropolitan Board of Works Act 1958', the 'Melbourne Water Corporation Act 1992' and certain other Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **TREASURY CORPORATION OF VICTORIA (HOUSING FINANCE) BILL** - Mr Stockdale, after debate, obtained leave with Mr Smith (*Polwarth*), to bring in a Bill "to make further provision in relation to the Home Opportunity Loans Scheme, to amend the 'Treasury Corporation of Victoria Act 1992' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **STATE DEFICIT LEVY (REPEAL) BILL** - Mr Stockdale obtained leave, with Mr Smith (*Polwarth*), to bring in a Bill "to repeal the 'State Deficit Levy Act 1992' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 **CONCURRENT DEBATE - TRADE MEASUREMENT BILL AND TRADE MEASUREMENT (ADMINISTRATION) BILL** - Motion made and question - That this House authorizes and requires Mr Speaker to permit the second reading and subsequent stages of the Trade Measurement Bill and the Trade Measurement (Administration) Bill to be moved and debated concurrently (*Mr Gude*) - put and agreed to.
- 18 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 1 to 4 inclusive, be postponed until later this day.
- 19 **MELBOURNE AND OLYMPIC PARKS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).
 Motion made and question - That the debate be now adjourned (*Mrs Wilson*) - put and agreed to.
 Ordered - That the debate be adjourned until Wednesday, 17 May 1995.
- 20 **GAMING ACTS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).
 Motion made and question - That the debate be now adjourned (*Mrs Wilson*) - put and agreed to.
 Ordered - That the debate be adjourned until Wednesday, 17 May 1995.
- 21 **PLANT HEALTH AND PLANT PRODUCTS BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
 Pursuant to Sessional Orders, Mr McGrath (*Wimmera*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
 Debate resumed on question - That this Bill be now read a second time.
 Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

- 22 **CORONERS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 23 **JOINT SITTING - SENATE VACANCY** - Mr Speaker reported that, that day, this House met with the Legislative Council in the Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the death of Senator Olive Alice Zakharov, and that Ms Jacinta Mary Ann Collins was chosen to hold the vacant place in the Senate.
- 24 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Ports Acts (Amendment) Bill with amendments.
- Ordered - That the said amendments be printed and taken into consideration tomorrow.
- 25 **DENTAL TECHNICIANS (AMENDMENT) BILL** - Order read for the consideration of the amendments made by the Legislative Council.
- And the said amendments were read a second time and agreed to by the House.
- Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 26 **JUDICIAL REMUNERATION TRIBUNAL BILL** - Order read for the consideration of the amendments made by the Legislative Council.
- And the said amendments were read a second time.
- Motion made and question - That the amendments be agreed to (*Mrs Wade*) - after debate, put.
- The House divided.

AYES, 54

Mr Ashley	Mr John	Mr Perrin	Mrs Tehan
Mr Brown	Mr Kennett	Mrs Peulich	Mr Thompson
Mr Coleman	Mr Kilgour	Mr Phillips	(<i>Sandringham</i>)
Mr Cooper	Mr Leigh	Mr Plowman	Mr Traynor
Mr Davis	Mr Lupton	(<i>Benambra</i>)	Mr Treasure
Dr Dean	Mr McArthur	Mr Plowman	Mr Turner
Mr Doyle	Mrs McGill	(<i>Evelyn</i>)	Mrs Wade
Mr Elder	Mr McGrath	Mr Reynolds	Mr Weideman
Mrs Elliott	(<i>Wimmera</i>)	Mr Richardson	Mr Wells
Mr Gude	Mr McLellan	Mr Rowe	
Mr Hayward	(<i>Frankston East</i>)	Mr Ryan	
Mr Heffernan	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(<i>Glen Waverley</i>)	
Mr Honeywood	(<i>Pakenham</i>)	Mr Smith	
Mr Hyams	Mr Maughan	(<i>Polwarth</i>)	<i>Tellers</i>
Mr Jasper	Dr Napthine	Mr Steggall	Mr Finn
Mr Jenkins	Mr Paterson	Mr Tanner	Mr Spry

NOES, 18

Mr Batchelor	Mr Hamilton	Mr Sheehan	
Mr Bracks	Mr Leighton	Mr Thomson	
Mr Brumby	Mr Loney	(Pascoe Vale)	
Mr Cunningham	Mr Micalef	Mr Thwaites	Tellers
Mr Dollis	Mr Mildenhall	Dr Vaughan	Mr Andrianopoulos
Ms Garbutt	Mr Seitz		Mr Carli

And so it was resolved in the affirmative.

Amendments agreed to with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

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

- 27 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 28 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 10.28 p.m., adjourned until tomorrow.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 51 - Thursday, 4 May 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
Westmeadows Primary School - Seeking that the Government approves full funding for the construction of a gymnasium at Westmeadows Primary School in 1995 in order to provide students with quality learning outcomes, bearing 297 signatures (*by Mr Finn*).
- Ordered to lie on the Table.
- 3 **PAPER** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
Prince Henry's Institute of Medical Research - Report for the year 1994.
- 4 **APPROPRIATION (INTERIM 1995-96) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
Motion made and question - That the debate be now adjourned (*Mr McArthur*) - put and agreed to.
Ordered - That the debate be adjourned until later this day.

- 5 **LEGAL AID COMMISSION (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Mrs Wade made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 18 May 1995.
- Business having been interrupted at 2.00 p.m.
pursuant to Sessional Orders.*
- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 7 **CONSUMER CREDIT (VICTORIA) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 18 May 1995.
- 8 **PUBLIC PROSECUTIONS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 18 May 1995.
- 9 **PLANNING AND ENVIRONMENT (MISCELLANEOUS AMENDMENTS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).
- Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 18 May 1995.
- 10 **PLANNING AND ENVIRONMENT (DEVELOPMENT CONTRIBUTIONS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).
- Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 18 May 1995.
- 11 **STATE DEFICIT LEVY (REPEAL) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
- Ordered, after debate - That the debate be adjourned until Thursday, 11 May 1995.

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- 12 **INFERTILITY TREATMENT BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Mrs Tehan made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Thwaites*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 18 May 1995.
- 13 **EQUAL OPPORTUNITY BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
- Mrs Wade made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 18 May 1995.
- 14 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 15 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 5.06 p.m., adjourned until Tuesday, 9 May 1995.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 52, 53 and 54

No. 52 - Tuesday, 9 May 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 5 of 1995 on the -
 - Stamps (Amendment) Bill
 - Financial Management and Audit Acts (Amendment) Bill
 - Financial Institutions Duty (Amendment) Bill
 - Local Government (Further Amendment) Bill
 - Gas and Fuel Corporation (Repeal) Bill
 - Retail Tenancies (Amendment) Bill
 - Royal Botanic Gardens and Victorian Conservation Trust (Amendment) Bill
 - Trade Measurement Bill
 - Trade Measurement (Administration) Bill
 - Appropriation (Interim 1995-96) Bill
 - Appropriation (Parliament) (Interim 1995-96) Bill
 - National Parks (Yarra Ranges and Other Amendments) Bill
 - Medical Practice and Nurses Acts (Amendment) Bill
 - State Deficit Levy (Repeal) Bill
 - Melbourne and Olympic Parks (Amendment) Bill
 - Gaming Acts (Amendment) Bill
 - Australian Food Industry Science Centre Bill
 - Health Acts (Amendment) Bill
 - Fisheries Billtogether with an Appendix.
Ordered to lie on the Table and to be printed.
- 4 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Council of Adult Education - Report for the year 1994
 - Parliamentary Committees Act 1968 - Response of the Minister for Roads and Ports on the action taken with respect to the recommendations made by the Road Safety Committee Inquiry into the Demerit Points Scheme

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

Doncaster and Templestowe Planning Scheme - No. L74
 Flinders Planning Scheme - No. L131
 Horsham Planning Scheme - Amalgamation Amendment
 Pakenham Planning Scheme - No. L96
 Rodney Planning Scheme - Nos. L80, L83
 Williamstown Planning Scheme - No. L35

Statutory Rules under the following Acts:

Administrative Appeals Tribunal Act 1984 - S.R. No. 48
 County Court Act 1958 - S.R. No. 47
 Subordinate Legislation Act 1994 - S.R. No. 49

Subordinate Legislation Act 1994 - Ministers' exception certificates in relation to Statutory Rule Nos. 47 and 49.

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

Associations Incorporation (Amendment) Bill
 Dental Technicians (Amendment) Bill
 Latrobe Regional Commission (Repeal) Bill
 Transport (Tow Truck Reform) Bill.

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

Consumer Credit (Victoria) Bill
 Equal Opportunity Bill
 Financial Institutions Duty (Amendment) Bill
 Financial Management and Audit Acts (Amendment) Bill
 Gaming Acts (Amendment) Bill
 Gas and Fuel Corporation (Repeal) Bill
 Infertility Treatment Bill
 Melbourne and Olympic Parks (Amendment) Bill
 National Parks (Yarra Ranges and Other Amendments) Bill
 Public Prosecutions (Amendment) Bill
 Royal Botanic Gardens and Victorian Conservation Trust (Amendment) Bill
 Stamps (Amendment) Bill
 State Deficit Levy (Repeal) Bill
 Trade Measurement (Administration) Bill.

- 7 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 9.30 p.m. on Thursday, 11 May 1995:

Ports Acts (Amendment) Bill
 Stamps (Amendment) Bill
 Appropriation (Parliament) (Interim 1995-96) Bill
 Financial Institutions Duty (Amendment) Bill
 Retail Tenancies (Amendment) Bill
 Financial Management and Audit Acts (Amendment) Bill

Gas and Fuel Corporation (Repeal) Bill
 Local Government (Further Amendment) Bill
 Royal Botanic Gardens and Victorian Conservation Trust (Amendment) Bill.

(Mr Gude) - after debate, put.

The House divided.

AYES, 57

Mr Brown	Mr Jenkins	Mr Perrin	Mr Spry
Mr Clark	Mr John	Mr Perton	Mr Steggall
Mr Coleman	Mr Kennett	Mr Pescott	Mr Stockdale
Mr Cooper	Mr Kilgour	Mrs Peulich	Mr Tanner
Mr Davis	Mr Lupton	Mr Phillips	Mrs Tehan
Dr Dean	Mrs McGill	Mr Plowman	Mr Thompson
Mr Doyle	Mr McGrath	(Benambra)	(Sandringham)
Mr Elder	(Warrnambool)	Mr Plowman	Mr Traynor
Mrs Elliott	Mr McGrath	(Evelyn)	Mr Treasure
Mr Finn	(Wimmera)	Mr Reynolds	Mr Turner
Mr Gude	Mr McLellan	Mr Richardson	Mrs Wade
Mr Hayward	(Frankston East)	Mr Rowe	Mr Weideman
Mr Heffernan	Mr Maclellan	Mr Ryan	Mr Wells
Mrs Henderson	(Pakenham)	Mr Smith	
Mr Honeywood	Mr Maughan	(Glen Waverley)	Tellers
Mr Hyams	Dr Napthine	Mr Smith	Mr Ashley
Mr Jasper	Mr Paterson	(Polwarth)	Mr McArthur

NOES, 24

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Dr Vaughan
Mr Baker	Mr Haermeyer	Mr Sandon	Mrs Wilson
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Sheehan	
Mr Brumby	Mr Loney	Mr Thomson	Tellers
Dr Coghill	Ms Marple	(Pascoe Vale)	Mr Carli
Mr Dollis	Mr Micallef	Mr Thwaites	Mr Cunningham

And so it was resolved in the affirmative.

8 JUDICIAL REMUNERATION TRIBUNAL BILL - CLERK OF PARLIAMENTS
 CORRECTIONS - Mr Speaker announced that he had received a communication from the Clerk of the Parliaments in conformity with Joint Standing Order No. 21, reporting that clerical errors had been discovered in this Bill.

On the motion of Mrs Wade, the House agreed that the errors be corrected by inserting the word "Tribunal" after the word "Remuneration" in -

- (a) Clause 17, page 8, line 21;
- (b) Clause 19, page 10, line 26;
- (c) Clause 21, page 13, line 9;
- (d) Clause 25, page 16, line 1;
- (e) Clause 27, page 18, line 6.

Ordered - That the communication from the Clerk of the Parliaments be transmitted to the Legislative Council with a Message requesting their concurrence in the correction of the errors.

- 9 **HEALTH SERVICES (METROPOLITAN HOSPITALS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Mrs Tehan made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Thwaites*) - put and agreed to.
- Ordered - That the debate be adjourned until Tuesday, 23 May 1995.
- 10 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 2 and 3 be postponed until later this day.
- 11 **PORTS ACTS (AMENDMENT) BILL** - Order read for the consideration of the amendments made by the Legislative Council.
- And the said amendments were read a second time and, after debate, agreed to by the House.
- Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 12 **STAMPS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr McGrath (*Wimmera*) announced that it was proposed to move an amendment in Committee and requested that it be circulated. Amendment circulated.
- Debate resumed on question - That this Bill be now read a second time.
- Bill read a second time and committed; considered in Committee and reported with an amendment; as amended, considered, and amendment agreed to; read a third time.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 13 **APPROPRIATION (INTERIM 1995-96) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 10.00 p.m. pursuant to Sessional Orders.*
- Motion made and question - That the sitting be continued (*Mrs Wade*) - put and agreed to.
- Debate continued on question - That this Bill be now read a second time.
- Motion made and question - That the debate be now adjourned (*Mr Thomson, Pascoe Vale*) - put and agreed to.
- Ordered - That the debate be adjourned until tomorrow.
- 14 **MESSAGES FROM THE LEGISLATIVE COUNCIL** -
- Agreeing to the following Bills without amendment:
- Food (Amendment) Bill
 - Health Acts (Amendment) Bill.
- Acquainting the Assembly that they have concurred with the correction of clerical errors reported by the Clerk of the Parliaments in the Judicial Remuneration Tribunal Bill.

- 15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Australian Food Industry Science Centre Bill with an amendment.

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

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

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

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

WEDNESDAY, 10 MAY 1995

Question - put and agreed to.

And the House, at 12.02 a.m., adjourned until later this day.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 53 - Wednesday, 10 May 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Equal Opportunity** - Seeking that the House will not support the proposed amendments to the Equal Opportunity Act 1984 to prohibit discrimination on the grounds of a person's orientation/sexuality, bearing 64 signatures (*by Mr Traynor*)
- Legal Protection for Homosexuals** - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 25, 36 and 24 signatures (*by Mr Plowman, Benambra, Mr Perrin and Mr Maughan, respectively*).
- Severally ordered to lie on the Table.
- 3 **PAPER** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
- Constitution Act Amendment Act 1958 - Report on the Coburg District By-Election, 14 May 1994.
- 4 **INTERIM GUIDELINES FOR DEALING WITH ARMED OFFENDERS** - Motion made and question - That this House commends the Minister for Police and Emergency Services for his support of the Police Department Interim Guidelines for dealing with armed or suspected to be armed offenders/suspects (*Mr Smith, Glen Waverley*) - put, after debate, and agreed to -

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

- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 6 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up the Seventh Report from the Scrutiny of Acts and Regulations Committee on Subordinate Legislation concerning the Environment Protection (Scheduled Premises and Exemptions) Regulations 1994, together with Appendices and Minutes of Evidence.
Ordered to lie on the Table and the Report and Appendices to be printed.
- 7 **CHILDREN AND YOUNG PERSONS (PRE-HEARING CONFERENCES) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to repeal section 38 of the 'Children and Young Persons (Amendment) Act 1992' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **LAND (MISCELLANEOUS) BILL** - Mr Coleman obtained leave, with Mr Smith (*Polwarth*), to bring in a Bill "*to remove reservations over certain land at Geelong and certain other land, to revoke a Crown grant of certain land at Wendouree and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **WATER (AMENDMENT) BILL** - Mr Coleman obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Water Act 1989' to provide further for water entitlements and water trading and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **ELECTRICITY INDUSTRY (AMENDMENT) BILL** - Mr Plowman (*Evelyn*) obtained leave, with Mr Stockdale, to bring in a Bill "*to make further amendments to the 'Electricity Industry Act 1993' and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **ELECTRICITY INDUSTRY (ELECTRICITY CORPORATIONS) BILL** - Mr Plowman (*Evelyn*) obtained leave, with Mr Smith (*Polwarth*), to bring in a Bill "*to amend the 'Electricity Industry (Amendment) Act 1994' and the 'Electricity Industry (Further Amendment) Act 1994' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **GRAIN HANDLING AND STORAGE BILL** - Mr Stockdale obtained leave, with Mr Smith (*Polwarth*), to bring in a Bill "*to make further provision for regulating the handling and storage of grain, to repeal the 'Grain Elevators Board Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **GOVERNMENT EMPLOYEE HOUSING AUTHORITY (AMENDMENT) BILL** - Mr Smith (*Polwarth*), after debate, obtained leave with Mr Stockdale, to bring in a Bill "*to amend the 'Government Employee Housing Authority Act 1989' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **SUPERANNUATION ACTS (GENERAL AMENDMENT) BILL** - Mr Smith (*Polwarth*) obtained leave, with Mr Stockdale, to bring in a Bill "*to amend the 'Hospitals Superannuation Act 1988', the 'Local Authorities Superannuation Act 1988', the 'Public Sector Superannuation (Administration) Act 1993', the 'State Superannuation Act 1988', the 'State Employees Retirement Benefits Act 1979' and the 'Transport Superannuation Act 1988', to repeal the 'State Casual*

Employees Superannuation Act 1989' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 15 **PUBLIC TRANSPORT COMPETITION BILL** - Mr Brown obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "*to improve the operation of road-based public transport by providing for the accreditation of operators and implementing a system of service contracts for certain types of transport service, to amend the 'Transport Act 1983' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **ROAD SAFETY (MISCELLANEOUS AMENDMENTS) BILL** - Mr Brown, after debate, obtained leave with Mr McGrath (*Wimmera*), to bring in a Bill "*to amend the 'Road Safety Act 1986', the 'Transport Act 1983' and the 'Marine Act 1988' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 **WATER INDUSTRY (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
- Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
- Ordered - That the debate be adjourned until Tuesday, 23 May 1995.
- 18 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 2 be postponed until later this day.
- 19 **AUSTRALIAN FOOD INDUSTRY SCIENCE CENTRE BILL** - Order read for the consideration of the amendment made by the Legislative Council.
- And the said amendment was read a second time and, after debate, agreed to by the House with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
- Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendment.
- 20 **TREASURY CORPORATION OF VICTORIA (HOUSING FINANCE) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Leighton*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 24 May 1995.
- 21 **APPROPRIATION (PARLIAMENT) (INTERIM 1995-96) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 22 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Treasury Corporation of Victoria (Amendment) Bill
Financial Institutions (Victoria) (Amendment) Bill.

- 23 **FINANCIAL INSTITUTIONS DUTY (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

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

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and re-drafted to provide protection of lessees in line with the recommendations of the March 1993 Report of the Minister's Working Party particularly the recommendations relating to - (a) deficiencies in the processes of valuation; (b) the application of the Act to franchises and public corporations; (c) extension of the regulation of rent reviews; (d) supply by landlords of disclosure statements; (e) extension of compensation rights for changes in tenancy mix in retail shopping centres; and (f) controlling unconscionable clauses in leases and unconscionable behaviour by parties to leases - and that the re-drafted Bill be introduced and debated prior to the conclusion of the Autumn 1995 Sittings." (*Mr Loney*) - and, after debate -

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

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

Debate continued on question and amendment.

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

The House divided.

AYES, 56

Mr Ashley
Mr Brown
Mr Clark
Mr Coleman
Mr Cooper
Mr Davis
Dr Dean
Mr Doyle
Mr Elder
Mrs Elliott
Mr Gude
Mr Hayward
Mr Heffernan
Mr Honeywood
Mr Hyams
Mr Jasper
Mr Jenkins

Mr John
Mr Kennett
Mr Kilgour
Mr Leigh
Mr Lupton
Mr McArthur
Mrs McGill
Mr McGrath
(*Warrnambool*)
Mr McGrath
(*Wimmera*)
Mr McLellan
(*Frankston East*)
Mr Maclellan
(*Pakenham*)
Mr Maughan
Dr Napthine

Mr Paterson
Mr Perrin
Mr Perton
Mr Pescott
Mrs Peulich
Mr Phillips
Mr Plowman
(*Benambra*)
Mr Plowman
(*Evelyn*)
Mr Reynolds
Mr Richardson
Mr Rowe
Mr Ryan
Mr Smith
(*Glen Waverley*)
Mr Spry

Mr Steggall
Mr Stockdale
Mr Tanner
Mrs Tehan
Mr Traynor
Mr Treasure
Mr Turner
Mrs Wade
Mr Weideman
Mr Wells

Tellers
Mr Finn
Mr Thompson
(*Sandringham*)

NOES, 20

Mr Batchelor	Mr Haermeyer	Mr Seitz	Mrs Wilson
Mr Bracks	Mr Hamilton	Mr Sheehan	
Mr Brumby	Mr Leighton	Mr Thomson	
Mr Cunningham	Mr Loney	(Pascoe Vale)	Tellers
Mr Dollis	Mr Micallef	Mr Thwaites	Mr Andrianopoulos
Ms Garbutt	Mr Mildenhall	Dr Vaughan	Mr Carli

And so it was resolved in the affirmative.

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

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

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

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

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

THURSDAY, 11 MAY 1995

Question - put and agreed to.

And the House, at 12.05 a.m., adjourned until later this day.

J.G. LITTLE

Clerk of the Legislative Assembly

JOHN E. DELZOPPO

Speaker

No. 54 - Thursday, 11 May 1995

1 Mr Speaker took the Chair and read the Prayer.

2 **AUSTRALIAN BARLEY BOARD** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Australian Barley Board for the year ended 31 October 1994 (*Mr McGrath, Wimmera*) - put and agreed to.

3 **PAPER** - Mr McGrath (*Wimmera*) presented:

Australian Barley Board - Report for the year ended 31 October 1994 - Return to the foregoing Order.

Ordered to lie on the Table.

-
- 4 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Auditor-General - Special Report No. 33 - Handle with Care: Dangerous Goods Management - Ordered to be printed
 - Ballarat School of Mines and Industries - Report for the year 1994
 - Casey College of TAFE - Report for the year 1994
 - Goulburn Valley Community College - Report for the year 1994
 - Loddon Campaspe College of TAFE - Report for the year 1994
 - Melbourne College of Printing and Graphic Arts - Report for the year 1994
 - Northern Metropolitan College of TAFE - Report for the year 1994
 - Outer Eastern College of TAFE - Report for the year 1994
 - South West College of TAFE - Report for the year 1994
 - Wangaratta College of TAFE - Report for the year 1994
 - Western Metropolitan College of TAFE - Report for the year 1994
 - Wimmera Community College of TAFE - Report for the year 1994.
- 5 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 23 May 1995 (*Mr Gude*) - put and agreed to.
- 6 **CHILDREN AND YOUNG PERSONS (PRE-HEARING CONFERENCES) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
 Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 25 May 1995.
- 7 **WATER (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
 Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
 Ordered, after debate - That the debate be adjourned until Tuesday, 23 May 1995.
- 8 **ELECTRICITY INDUSTRY (ELECTRICITY CORPORATIONS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Plowman, Evelyn*).
 Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
 Ordered, after debate - That the debate be adjourned until Tuesday, 23 May 1995.
- 9 **GOVERNMENT EMPLOYEE HOUSING AUTHORITY (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Plowman, Evelyn*).
 Motion made and question - That the debate be now adjourned (*Mr Leighton*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 25 May 1995.

- 10 **PUBLIC TRANSPORT COMPETITION BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).
Mr Brown made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.
 Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.
 Ordered, after debate - That the debate be adjourned until Thursday, 25 May 1995.
- 11 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 6, be postponed until later this day.
- 12 **LOCAL GOVERNMENT (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
 Pursuant to Sessional Orders, Mr Maclellan (*Pakenham*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
 Debate resumed on question - That this Bill be now read a second time.
 Question - put.
 The House divided.

AYES, 51

Mr Ashley	Mr John	Mr Perton	Mr Tanner
Mr Brown	Mr Leigh	Mr Pescott	Mrs Tehan
Mr Clark	Mr Lupton	Mrs Peulich	Mr Thompson
Mr Coleman	Mr McArthur	Mr Phillips	(<i>Sandringham</i>)
Mr Cooper	Mr McGrath	Mr Plowman	Mr Traynor
Mr Davis	(<i>Warrnambool</i>)	(<i>Benambra</i>)	Mr Treasure
Dr Dean	Mr McGrath	Mr Plowman	Mr Turner
Mr Doyle	(<i>Wimmera</i>)	(<i>Evelyn</i>)	Mrs Wade
Mr Elder	Mr McLellan	Mr Rowe	Mr Weideman
Mr Finn	(<i>Frankston East</i>)	Mr Ryan	Mr Wells
Mr Hayward	Mr Maclellan	Mr Smith	
Mr Heffernan	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	
Mr Honeywood	Mr Maughan	Mr Smith	
Mr Hyams	Dr Napthine	(<i>Polwarth</i>)	<i>Tellers</i>
Mr Jasper	Mr Paterson	Mr Steggall	Mrs McGill
Mr Jenkins	Mr Perrin	Mr Stockdale	Mr Spry

NOES, 24

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Haermeyer	Mr Sandon	Dr Vaughan
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Sercombe	
Mr Brumby	Mr Loney	Mr Sheehan	<i>Tellers</i>
Dr Coghill	Ms Marple	Mr Thomson	Mr Carli
Mr Dollis	Mr Micallef	(<i>Pascoe Vale</i>)	Mr Cunningham

And so it was resolved in the affirmative.

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

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

- 13 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 14 **LOCAL GOVERNMENT (FURTHER AMENDMENT) BILL** - Bill committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

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

- 15 **FINANCIAL MANAGEMENT AND AUDIT ACTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to - (a) provide power to the Auditor-General to audit a publicly owned company at the date of sale; (b) require a final report from any publicly owned company which is sold to be tabled in Parliament; (c) require a half yearly report from major publicly owned companies; and (d) extend the power of the Auditor-General to audit all public sector agencies over which the Government has control, a financial interest or to which it has financial exposure but which are not 100 per cent publicly owned." (*Mr Brumby*) - and, after debate -

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

The House divided.

AYES, 54

Mr Ashley	Mr John	Mr Pescott	Mr Steggall
Mr Brown	Mr Kennett	Mrs Peulich	Mr Stockdale
Mr Clark	Mr Kilgour	Mr Phillips	Mr Tanner
Mr Coleman	Mr Leigh	Mr Plowman	Mrs Tehan
Mr Cooper	Mr McArthur	(<i>Benambra</i>)	Mr Thompson
Mr Davis	Mrs McGill	Mr Plowman	(<i>Sandringham</i>)
Dr Dean	Mr McGrath	(<i>Evelyn</i>)	Mr Traynor
Mr Elder	(<i>Warrnambool</i>)	Mr Reynolds	Mr Treasure
Mrs Elliott	Mr McLellan	Mr Richardson	Mr Turner
Mr Finn	(<i>Frankston East</i>)	Mr Rowe	Mrs Wade
Mr Gude	Mr McNamara	Mr Ryan	Mr Weideman
Mr Hayward	Mr Maughan	Mr Smith	
Mr Honeywood	Dr Napthine	(<i>Glen Waverley</i>)	
Mr Hyams	Mr Paterson	Mr Smith	<i>Tellers</i>
Mr Jasper	Mr Perrin	(<i>Polwarth</i>)	Mr Doyle
Mr Jenkins	Mr Perton	Mr Spry	Mr Lupton

NOES, 22

Mr Baker	Mr Haermeyer	Mr Sandon	
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Sercombe	
Mr Brumby	Mr Loney	Mr Sheehan	
Mr Cunningham	Ms Marple	Mr Thomson	<i>Tellers</i>
Mr Dollis	Mr Micallef	(<i>Pascoe Vale</i>)	Mr Andrianopoulos
Ms Garbutt	Mr Mildenhall	Dr Vaughan	Mr Carli

And so it was resolved in the affirmative.

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

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

- 16 **GAS AND FUEL CORPORATION (REPEAL) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Question - put.

The House divided.

AYES, 48

Mr Ashley	Mr Kilgour	Mr Pescott	Mr Tanner
Mr Brown	Mr Leigh	Mrs Peulich	Mrs Tehan
Mr Clark	Mr Lupton	Mr Phillips	Mr Thompson
Mr Coleman	Mr McArthur	Mr Plowman	(<i>Sandringham</i>)
Mr Cooper	Mrs McGill	(<i>Evelyn</i>)	Mr Traynor
Mr Davis	Mr McGrath	Mr Reynolds	Mr Treasure
Dr Dean	(<i>Warrnambool</i>)	Mr Richardson	Mr Turner
Mr Doyle	Mr McGrath	Mr Rowe	Mr Weideman
Mr Elder	(<i>Wimmera</i>)	Mr Ryan	
Mr Finn	Mr McLellan	Mr Smith	
Mr Hayward	(<i>Frankston East</i>)	(<i>Glen Waverley</i>)	
Mr Honeywood	Mr Maughan	Mr Smith	
Mr Hyams	Dr Napthine	(<i>Polwarth</i>)	<i>Tellers</i>
Mr Jenkins	Mr Perrin	Mr Steggall	Mrs Elliott
Mr John	Mr Perton	Mr Stockdale	Mr Paterson

NOES, 20

Mr Andrianopoulos	Mr Haermeyer	Mr Mildenhall	Dr Vaughan
Mr Baker	Mr Hamilton	Mr Sandon	
Mr Batchelor	Mr Leighton	Mr Seitz	
Mr Brumby	Mr Loney	Mr Sheehan	<i>Tellers</i>
Mr Dollis	Ms Marple	Mr Thomson	Mr Carli
Ms Garbutt	Mr Micallef	(<i>Pascoe Vale</i>)	Mr Cunningham

And so it was resolved in the affirmative.

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

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

- 17 **ROYAL BOTANIC GARDENS AND VICTORIAN CONSERVATION TRUST (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
 Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 18 **ROAD SAFETY (MISCELLANEOUS AMENDMENTS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
 Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 25 May 1995.
- 19 **LAND (MISCELLANEOUS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
Mr Coleman made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.
 Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 25 May 1995.
- 20 **ELECTRICITY INDUSTRY (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Plowman, Evelyn*).
 Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
 Ordered, after debate - That the debate be adjourned until Thursday, 25 May 1995.
- 21 **GRAIN HANDLING AND STORAGE BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Smith, Polwarth*).
 Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 25 May 1995.
- 22 **SUPERANNUATION ACTS (GENERAL AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Smith, Polwarth*).
 Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
 Ordered - That the debate be adjourned until Thursday, 25 May 1995.

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- 23 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 24 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 9.58 p.m., adjourned until Tuesday, 23 May 1995.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 55, 56, 57 and 58

No. 55 - Tuesday, 23 May 1995

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

Legal Protection for Homosexuals - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 266 signatures (*by Mr Perrin*)

Northern Boundary-City of Melbourne Council - Seeking that legislation be enacted which will change the northern boundary of the City of Melbourne Council to incorporate Park Street and the Hooper Reserve into Parkville and the City of Melbourne, bearing 244 signatures (*by Mr Cole*).

Severally ordered to lie on the Table.

- 4 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 6 of 1995 on the -

Legal Aid Commission (Amendment) Bill
Planning and Environment (Miscellaneous Amendments) Bill
Planning and Environment (Development Contributions) Bill
Equal Opportunity Bill
Infertility Treatment Bill
Consumer Credit (Victoria) Bill
Public Prosecutions (Amendment) Bill
Water Industry (Amendment) Bill
Children and Young Persons (Pre-hearing Conferences) Bill
Government Employee Housing Authority (Amendment) Bill
Electricity Industry (Electricity Corporations) Bill
Treasury Corporation of Victoria (Housing Finance) Bill
Land (Miscellaneous) Bill
Grain Handling and Storage Bill
Water (Amendment) Bill
Health Services (Metropolitan Hospitals) Bill
Electricity Industry (Amendment) Bill
Public Transport Competition Bill
Road Safety (Miscellaneous Amendments) Bill
Superannuation Acts (General Amendment) Bill

Melbourne and Olympic Parks (Amendment) Bill
 Gas and Fuel Corporation (Repeal) Bill
 Plant Health and Plant Products Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

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

Benalla Water Board - Report for the year ended 30 September 1994, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefor

Box Hill College of TAFE - Report and Addendum for the year 1994 (two papers)

Broadmeadows College of TAFE - Report for the year 1994

Central Gippsland College of TAFE - Report for the year 1994

East Gippsland Community College of TAFE - Report for the year 1994

Flora and Fauna Guarantee Act 1988 - Orders in Council adding items to Schedule 2 - list of Taxa and Communities of Flora and Fauna which are threatened

Frankston College of TAFE - Report for the year 1994

Gordon Technical College - Report for the year 1994

Holmesglen College of TAFE - Report for the year 1994

John Batman College of TAFE - Report for the year 1994

Medical Board of Victoria - Report for the year 1993-94

Melbourne College of Textiles - Report for the year 1994

Moorabbin College of TAFE - Report for the year 1994

Parliamentary Committees Act 1968 - Response of the Minister for Conservation and Environment on action taken with respect to the recommendations made by the Environment and Natural Resources Committee Report on the Environmental Impact of Commonwealth Activities and Places in Victoria

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

Bacchus Marsh Planning Scheme - No. L46

Berwick Planning Scheme - No. L80

Buninyong Planning Scheme - Nos. L50, L53

Cranbourne Planning Scheme - Nos. L113, L141, L145

Dandenong Planning Scheme - No. L36

Doncaster and Templestowe Planning Scheme - No. L80

Essendon Planning Scheme - No. L56

Flinders Planning Scheme - Nos. L122, L133

Footscray Planning Scheme - No. L43

Greater Geelong Planning Scheme - No. R75 Part 2

Hastings Planning Scheme - No. L26

Hawthorn Planning Scheme - Nos. L29 Part 1, L32

Kilmore Planning Scheme - Nos. L78, L82

Korumburra Planning Scheme - No. L44

Maffra Planning Scheme - No. L27

Malvern Planning Scheme - Nos. L34, L37, L38

Moorabbin Planning Scheme - No. L45
Moreland Planning Scheme - No. L2
Nunawading Planning Scheme - No. L80
Oxley Planning Scheme - No. L9
Phillip Island Planning Scheme - No. L51
Port Melbourne Planning Scheme - No. L23
Prahran Planning Scheme - No. L61
Ringwood Planning Scheme - No. L32 Part 1
Rosedale Planning Scheme - No. L45
Sherbrooke Planning Scheme - Nos. L84, L85
South Melbourne Planning Scheme - Nos. L99, L100
Springvale Planning Scheme - No. L87
Warrnambool Planning Scheme - Amalgamation Amendment
Whittlesea Planning Scheme - Nos. L11, L84 Part 1
Yarrawonga Planning Scheme - No. L24

Rural Finance Act 1988 - Direction by the Treasurer to the Rural Finance Corporation to establish, operate and administer a scheme of assistance for persons carrying on farming or operating a small business where the farming or small business operation is affected by drought conditions

Statutory Rules under the following Acts:

Alpine Resorts Act 1983 - S.R. No. 52
Australian Grand Prix Act 1994 - S.R. No. 54
Road Safety Act 1986 - S.R. No. 53
Subordinate Legislation Act 1994 - S.R. No. 50
Supreme Court Act 1986 - S.R. No. 51

Subordinate Legislation Act 1994 -

Minister's exception certificate in relation to Statutory Rule No. 50
Minister's exemption certificate in relation to Statutory Rule No. 52

Sunraysia College of TAFE - Report for the year 1994

Victorian Institute of Marine Sciences - Report for the year 1993

William Angliss College - Report for the year 1994

Wodonga College of TAFE - Report for the year 1994.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 27 October 1992:

Employee Relations (Amendment) Act 1994 - Sections 4, 5, 6, 7, 8, 9, 10, 11, 13 and 14 and Schedules 1 and 2 on 9 May 1995 (*Gazette No. G18, 11 May 1995*)

Judicial Remuneration Tribunal Act 1995 - Sections 18 and 23 on 18 May 1995 (*Gazette No. G19, 18 May 1995*).

6 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS - Informing the Assembly that he had, on 16 May 1995, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Australian Food Industry Science Centre Bill
Financial Institutions (Victoria) (Amendment) Bill
Food (Amendment) Bill
Health Acts (Amendment) Bill

Judicial Remuneration Tribunal Bill
 Ports Acts (Amendment) Bill
 Treasury Corporation of Victoria (Amendment) Bill.

- 7 **MESSAGES FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of Messages from His Excellency the Governor:

Recommending appropriations for the purposes of the following Bills:

Children and Young Persons (Pre-hearing Conferences) Bill
 Electricity Industry (Amendment) Bill
 Government Employee Housing Authority (Amendment) Bill
 Grain Handling and Storage Bill
 Health Services (Metropolitan Hospitals) Bill
 Land (Miscellaneous) Bill
 Public Transport Competition Bill
 Superannuation Acts (General Amendment) Bill
 Treasury Corporation of Victoria (Housing Finance) Bill
 Water Industry (Amendment) Bill.

Recommending a further appropriation for the purposes of the Consumer Credit (Victoria) Bill.

- 8 **CONCURRENT DEBATE - PLANNING AND ENVIRONMENT (MISCELLANEOUS AMENDMENTS) BILL AND PLANNING AND ENVIRONMENT (DEVELOPMENT CONTRIBUTIONS) BILL** - Motion made, by leave, and question - That this House authorizes and requires Mr Speaker to permit the second reading and subsequent stages of the Planning and Environment (Miscellaneous Amendments) Bill and the Planning and Environment (Development Contributions) Bill to be moved and debated concurrently (*Mr Gude*) - put and agreed to.

- 9 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.30 p.m. on Friday, 26 May 1995:

Melbourne and Olympic Parks (Amendment) Bill
 Gaming Acts (Amendment) Bill
 Legal Aid Commission (Amendment) Bill
 Consumer Credit (Victoria) Bill
 Electricity Industry (Electricity Corporations) Bill
 Public Prosecutions (Amendment) Bill
 Planning and Environment (Miscellaneous Amendments) Bill
 Planning and Environment (Development Contributions) Bill
 Equal Opportunity Bill
 Trade Measurement Bill
 Trade Measurement (Administration) Bill
 Children and Young Persons (Pre-hearing Conferences) Bill
 Government Employee Housing Authority (Amendment) Bill.

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

- 10 **BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Smith (*Polwarth*), to bring in a Bill "to amend the 'Business Franchise (Tobacco) Act 1974' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

11 **MELBOURNE AND OLYMPIC PARKS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

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

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

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

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

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to include provisions which - (a) impose penalties on gaming operators if they fail to stop problem gamblers from gambling; (b) restrict a person from controlling a number of hotels in order to control hundreds if not thousands of gaming machines which is detrimental to the proper development of gambling in the State; and (c) introduce education campaigns for young people and the community on the hazards of problem gambling." (*Mrs Wilson*) - and, after debate -

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

The House divided.

AYES, 57

Mr Ashley	Mr Jasper	Mr Paterson	Mr Stockdale
Mr Bildstien	Mr Jenkins	Mr Perrin	Mr Tanner
Mr Brown	Mr John	Mr Perton	Mrs Tehan
Mr Clark	Mr Kilgour	Mr Pescott	Mr Thompson
Mr Coleman	Mr Leigh	Mr Phillips	(<i>Sandringham</i>)
Mr Cooper	Mr McArthur	Mr Plowman	Mr Traynor
Mr Davis	Mrs McGill	(<i>Benambra</i>)	Mr Treasure
Dr Dean	Mr McGrath	Mr Plowman	Mr Turner
Mr Doyle	(<i>Warrnambool</i>)	(<i>Evelyn</i>)	Mrs Wade
Mr Elder	Mr McGrath	Mr Reynolds	Mr Wells
Mrs Elliott	(<i>Wimmera</i>)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(<i>Frankston East</i>)	Mr Ryan	
Mr Hayward	Mr McNamara	Mr Smith	
Mr Heffeman	Mr Maclellan	(<i>Glen Waverley</i>)	
Mrs Henderson	(<i>Pakenham</i>)	Mr Smith	Tellers
Mr Honeywood	Mr Maughan	(<i>Polwarth</i>)	Mr Lupton
Mr Hyams	Dr Napthine	Mr Spry	Mrs Peulich

NOES, 24

Mr Baker	Mr Hamilton	Mr Sandon	Dr Vaughan
Mr Bracks	Mr Leighton	Mr Seitz	Mrs Wilson
Mr Brumby	Mr Loney	Mr Sercombe	
Dr Coghill	Ms Marple	Mr Sheehan	
Mr Cunningham	Mr Micallef	Mr Thomson	<i>Tellers</i>
Ms Garbutt	Mr Mildenhall	(<i>Pascoe Vale</i>)	Mr Andrianopoulos
Mr Haermeyer	Mr Pandazopoulos	Mr Thwaites	Mr Carli

And so it was resolved in the affirmative.

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

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

- 13 **LEGAL AID COMMISSION (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported without amendment; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

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

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

Mildura College Lands (Amendment) Bill
 Coroners (Amendment) Bill
 Stamps (Amendment) Bill.

- 15 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 4 to 12 inclusive, be postponed until later this day.

- 16 **APPROPRIATION (INTERIM 1995-96) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

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

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

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

Ordered - That the debate be adjourned until tomorrow.

- 17 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 18 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 11.45 p.m., adjourned until tomorrow.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 56 - Wednesday, 24 May 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **EQUAL OPPORTUNITY BILL** - Pursuant to section 85 of the *Constitution Act 1975*, Mrs Wade gave a notice of intention to make a statement of the reasons for further altering or varying that section by an amendment to clause 193 of the Equal Opportunity Bill that she intends to propose in Committee.
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Privatisation of Public Utilities** - Seeking that the House take steps to ensure that further legislation, which permits privatisation of public services, is not passed in the House, bearing 180 signatures (*by Mr Phillips*)
 - Daylight Saving** - Seeking that the Government take steps to ensure that daylight saving ends on the first Sunday in March, bearing 52 signatures (*by Mr Maughan*).
- Severally ordered to lie on the Table.
- 4 **ROAD SAFETY COMMITTEE** - Mr McLellan (*Frankston East*) brought up the First Report from the Road Safety Committee upon the Effects of Drugs (other than Alcohol) on Road Safety in Victoria, together with Collected Papers and Appendices.
Ordered to lie on the Table and to be printed.
- 5 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Statutory Rule under the Public Sector Management Act 1992 - S.R. No. 55
 - Subordinate Legislation Act 1994 - Minister's exemption certificate in relation to Statutory Rule No. 55.
- 6 **GRIEVANCES** - Question - That grievances be noted - put, after debate, and agreed to.
- 7 **QUESTIONS** - (Pursuant to Standing Order No. 124).

- 8 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 9 **CONSUMER CREDIT (VICTORIA) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Debate resumed on question - That this Bill be now read a second time.
- Bill read a second time and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 10 **BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Mr Stockdale made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.*
- Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.
- Ordered - That the debate be adjourned until Tuesday, 30 May 1995.
- 11 **ELECTRICITY INDUSTRY (ELECTRICITY CORPORATIONS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Financial Institutions Duty (Amendment) Bill without amendment.
- 13 **PUBLIC PROSECUTIONS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until a Royal Commission or Board of Inquiry has been appointed to inquire into and has reported on - (a) whether, since October 1992, any improper pressure, direct or indirect, was applied to Mr Bongiorno, the then Director of Public Prosecutions, by the Premier, the Attorney-General or any other person in relation to proceedings or proposed proceedings against the Premier, Mr John Elliott or any other person and in particular the circumstances surrounding the meeting between the Attorney-General and the then Director of Public Prosecutions at the home of the Attorney-General on the evening of 2 August 1993; (b) whether there was any connection between the proposal to amend the legislation governing the Office of the Director of Public Prosecutions and any proposal by the then Director of Public Prosecutions to take legal action against the Premier, Mr John Elliott or any other person; (c) whether the Attorney-General, the Crown Counsel, Mr Greg Craven, or any other persons took action from October 1992 designed to interfere with the independence of the Office of Director of Public Prosecutions or to force the resignation of Mr Bongiorno as Director of Public Prosecutions; and (d) whether the Premier, the Attorney-General, Crown Counsel, Mr Greg Craven or Chief Magistrate, Mr Nicholas Papas, have engaged in any improper conduct in relation to the matters the subject of this inquiry." (*Mr Mildenhall*) - and, after debate -

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

The House divided.

AYES, 55

Mr Ashley	Mr Hyams	Mr Perton	Mr Spry
Mr Bildstien	Mr Jasper	Mr Pescott	Mr Steggall
Mr Brown	Mr John	Mrs Peulich	Mr Stockdale
Mr Clark	Mr Kilgour	Mr Phillips	Mr Tanner
Mr Coleman	Mr Leigh	Mr Plowman	Mrs Tehan
Mr Cooper	Mr Lupton	(Benambra)	Mr Thompson
Mr Davis	Mr McArthur	Mr Plowman	(Sandringham)
Dr Dean	Mrs McGill	(Evelyn)	Mr Treasure
Mr Doyle	Mr McLellan	Mr Reynolds	Mr Turner
Mr Elder	(Frankston East)	Mr Richardson	Mrs Wade
Mrs Elliott	Mr Maclellan	Mr Rowe	Mr Weideman
Mr Finn	(Pakenham)	Mr Ryan	Mr Wells
Mr Gude	Mr Maughan	Mr Smith	
Mr Heffernan	Dr Napthine	(Glen Waverley)	Tellers
Mrs Henderson	Mr Paterson	Mr Smith	Mr Jenkins
Mr Honeywood	Mr Perrin	(Polwarth)	Mr Traynor

NOES, 23

Mr Baker	Ms Garbutt	Mr Pandazopoulos	Mrs Wilson
Mr Batchelor	Mr Haermeyer	Mr Sandon	
Mr Bracks	Mr Hamilton	Mr Seitz	
Mr Brumby	Mr Leighton	Mr Thomson	
Dr Coghill	Mr Loney	(Pascoe Vale)	Tellers
Mr Cunningham	Ms Marple	Mr Thwaites	Mr Andrianopoulos
Mr Dollis	Mr Mildenhall	Dr Vaughan	Mr Carli

And so it was resolved in the affirmative.

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

The House divided.

AYES, 55

Mr Ashley	Mr Jenkins	Mr Pescott	Mr Steggall
Mr Bildstien	Mr John	Mrs Peulich	Mr Stockdale
Mr Brown	Mr Kilgour	Mr Phillips	Mr Tanner
Mr Clark	Mr Leigh	Mr Plowman	Mrs Tehan
Mr Coleman	Mr Lupton	(Benambra)	Mr Thompson
Mr Cooper	Mr McArthur	Mr Plowman	(Sandringham)
Mr Davis	Mrs McGill	(Evelyn)	Mr Traynor
Mr Elder	Mr McLellan	Mr Reynolds	Mr Treasure
Mrs Elliott	(Frankston East)	Mr Richardson	Mr Turner
Mr Finn	Mr Maclellan	Mr Rowe	Mrs Wade
Mr Gude	(Pakenham)	Mr Ryan	Mr Weideman
Mr Heffernan	Mr Maughan	Mr Smith	Mr Wells
Mrs Henderson	Dr Napthine	(Glen Waverley)	
Mr Honeywood	Mr Paterson	Mr Smith	Tellers
Mr Hyams	Mr Perrin	(Polwarth)	Dr Dean
Mr Jasper	Mr Perton	Mr Spry	Mr Doyle

NOES, 23

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Sandon	
Mr Batchelor	Mr Haermeyer	Mr Seitz	
Mr Bracks	Mr Hamilton	Mr Thomson	
Mr Brumby	Mr Leighton	(Pascoe Vale)	Tellers
Mr Carli	Mr Loney	Mr Thwaites	Mr Cunningham
Dr Coghill	Ms Marple	Dr Vaughan	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

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

- 14 MESSAGE FROM THE LEGISLATIVE COUNCIL - Agreeing to the Gas and Fuel Corporation (Repeal) Bill without amendment.
- 15 PLANNING AND ENVIRONMENT (MISCELLANEOUS AMENDMENTS) BILL AND PLANNING AND ENVIRONMENT (DEVELOPMENT CONTRIBUTIONS) BILL - Order read for resuming debate on question - That these Bills be now read a second time; debate resumed.

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "these Bills be withdrawn and redrafted to include relevant organisation and community comment on the ramification of the provisions contained in the Bills and that they be reintroduced in the House in the Spring Sitings." (Mr Dollis) - and, after debate -

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

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

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

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

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

16 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 7 to 9 inclusive, be postponed until later this day.

17 **APPROPRIATION (INTERIM 1995-96) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

Ordered - That the debate be adjourned until tomorrow.

18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Appropriation (Parliament) (Interim 1995-96) Bill without amendment.

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

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

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

THURSDAY, 25 MAY 1995

Question - put and agreed to.

And the House, at 12.09 a.m., adjourned until later this day.

J.G. LITTLE

Clerk of the Legislative Assembly

JOHN E. DELZOPPO

Speaker

No. 57 - Thursday, 25 May 1995

1 Mr Speaker took the Chair and read the Prayer.

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

Legal Protection for Homosexuals - Seeking that the House will not permit the Equal Opportunity Act to be amended so as to grant homosexuals privileged legal status and protection under that Act, bearing 49 signatures (*by Mr Perrin*).

Ordered to lie on the Table.

- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Auditor-General - Special Report No. 34 - Managing Parks for Life: The National Parks Service - Ordered to be printed
 - Fawkner Crematorium and Memorial Park - Report for the year 1994
 - Geelong Cemeteries Trust - Financial Statements for the year 1994
 - Memorial Park Altona - Report for the year 1994
 - Necropolis Springvale - Report for the year 1994
 - Parliamentary Committees Act 1968 - Response of the Minister for Housing on action taken with respect to the recommendations made by the Third and Fourth Report of the Economic Development Committee's Inquiry into the Victorian Building and Construction Industry
 - Victorian Psychological Council - Report for the year 1994.
- 4 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until tomorrow at 10.00 a.m. (*Mr Gude*) - put and agreed to.
- 5 **EQUAL OPPORTUNITY BILL** - Pursuant to section 85 of the *Constitution Act 1975*, Mrs Wade made a statement of the reasons for further altering or varying that section by an amendment to clause 193 of the Equal Opportunity Bill that she intends to propose in Committee.
- 6 **EQUAL OPPORTUNITY BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mrs Wade announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Debate resumed on question - That this Bill be now read a second time.
- Business having been interrupted at 2.00 p.m.
pursuant to Sessional Orders.*
- 7 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 8 **EQUAL OPPORTUNITY BILL** - Debate continued on question - That this Bill be now read a second time.
- Question - put.

The House divided.

AYES, 49

Mr Ashley	Mr John	Mr Phillips	Mrs Tehan
Mr Bildstien	Mr Kennett	Mr Plowman	Mr Thompson
Mr Brown	Mr Kilgour	(Benambra)	(Sandringham)
Mr Cooper	Mr Leigh	Mr Plowman	Mr Traynor
Mr Davis	Mr Lupton	(Evelyn)	Mr Turner
Dr Dean	Mr McArthur	Mr Reynolds	Mrs Wade
Mr Doyle	Mrs McGill	Mr Richardson	Mr Weideman
Mr Elder	Mr McGrath	Mr Rowe	Mr Wells
Mrs Elliott	(Wimmera)	Mr Ryan	
Mr Gude	Mr Maclellan	Mr Smith	
Mrs Henderson	(Pakenham)	(Glen Waverley)	
Mr Honeywood	Mr Maughan	Mr Spry	Tellers
Mr Hyams	Dr Napthine	Mr Steggall	Mr McLellan
Mr Jasper	Mr Paterson	Mr Stockdale	(Frankston East)
Mr Jenkins	Mr Pescott	Mr Tanner	Mr Treasure

NOES, 25

Mr Baker	Mr Haermeyer	Mr Sandon	
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Sercombe	
Mr Brumby	Mr Loney	Mr Sheehan	
Dr Coghill	Ms Marple	Mr Thomson	
Mr Cunningham	Mr Micallef	(Pascoe Vale)	Tellers
Mr Dollis	Mr Mildenhall	Mr Thwaites	Mr Andrianopoulos
Ms Garbutt	Mr Pandazopoulos	Dr Vaughan	Mr Carli

And so it was resolved in the affirmative.

Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee.

Committee reported progress.

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

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

Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to.

Question - That this Bill be now read a third time - put.

The House divided.

AYES, 50

Mr Ashley	Mr Kennett	Mr Plowman	Mrs Tehan
Mr Bildstien	Mr Kilgour	(Benambra)	Mr Thompson
Mr Brown	Mr Leigh	Mr Plowman	(Sandringham)
Mr Cooper	Mr Lupton	(Evelyn)	Mr Traynor
Mr Davis	Mr McArthur	Mr Reynolds	Mr Treasure
Dr Dean	Mrs McGill	Mr Richardson	Mr Turner
Mr Doyle	Mr McGrath	Mr Rowe	Mrs Wade
Mr Elder	(Wimmera)	Mr Ryan	Mr Weideman
Mrs Elliott	Mr McLellan	Mr Smith	
Mr Gude	(Frankston East)	(Glen Waverley)	
Mrs Henderson	Mr Maclellan	Mr Smith	
Mr Honeywood	(Pakenham)	(Polwarth)	
Mr Hyams	Mr Maughan	Mr Spry	
Mr Jasper	Dr Napthine	Mr Steggall	Tellers
Mr Jenkins	Mr Pescott	Mr Stockdale	Mr Paterson
Mr John	Mr Phillips	Mr Tanner	Mr Wells

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Sandon	
Mr Baker	Mr Haermeyer	Mr Seitz	
Mr Batchelor	Mr Hamilton	Mr Sercombe	
Mr Bracks	Mr Leighton	Mr Sheehan	
Mr Brumby	Mr Loney	Mr Thomson	
Mr Carli	Ms Marple	(Pascoe Vale)	Tellers
Dr Coghill	Mr Micallef	Mr Thwaites	Mr Cunningham
Mr Dollis	Mr Mildenhall	Dr Vaughan	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

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

- 9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Local Government (Further Amendment) Bill
 - Retail Tenancies (Amendment) Bill
 - Royal Botanic Gardens and Victorian Conservation Trust (Amendment) Bill
 - Plant Health and Plant Products Bill.
- 10 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 2 to 4 inclusive, be postponed until later this day.

- 11 **TRADE MEASUREMENT BILL AND TRADE MEASUREMENT (ADMINISTRATION) BILL** - Order read for resuming debate on question - That these Bills be now read a second time; debate resumed; Bills read a second time and, by leave, read a third time forthwith.
Ordered - That the Bills be transmitted to the Legislative Council and their concurrence desired therein.
- 12 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 13 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 11.57 p.m., adjourned until tomorrow.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 58 - Friday, 26 May 1995

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
Westall Road Improvements - Seeking that the Westall Road improvements, planned as part of the Springvale Bypass, proceed immediately, bearing 1,378 signatures (*by Dr Vaughan*).
Ordered to lie on the Table.
- 3 **PAPER** - The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
Pathology Services Accreditation Board - Report for the year 1993-94.
- 4 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Business Franchise (Tobacco) (Amendment) Bill.
- 5 **CONCURRENT DEBATE - WATER INDUSTRY (AMENDMENT) BILL AND WATER (AMENDMENT) BILL** - Motion made, by leave, and question - That this House authorizes and requires Mr Speaker to permit the second reading and subsequent stages of the Water Industry (Amendment) Bill and the Water (Amendment) Bill to be moved and debated concurrently (*Mr Gude*) - put and agreed to.
- 6 **AUSTRALIAN GRAND PRIX (AMENDMENT) BILL** - Mr McNamara, pursuant to a motion moved on his behalf by Mr Gude, after debate, obtained leave with Mrs Tehan, to bring in a Bill "to amend the 'Australian Grand Prix Act 1994' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 7 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 1 be postponed until later this day.
- 8 **CHILDREN AND YOUNG PERSONS (PRE-HEARING CONFERENCES) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 9 **GOVERNMENT EMPLOYEE HOUSING AUTHORITY (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to provide for the transfer of surplus appropriate properties from the Government Employee Housing Authority to the Office of Housing, Department of Planning and Development, for use as public housing." (*Mr Leighton*) - and, after debate -
*Business having been interrupted at 2.00 p.m.
pursuant to Sessional Orders.*
- 10 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 11 **GOVERNMENT EMPLOYEE HOUSING AUTHORITY (AMENDMENT) BILL** - Debate continued on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to provide for the transfer of surplus appropriate properties from the Government Employee Housing Authority to the Office of Housing, Department of Planning and Development, for use as public housing."
Question - That the words proposed to be omitted stand part of the question - put.
The House divided.

AYES, 53

Mr Ashley	Mr John	Mr Perrin	Mr Stockdale
Mr Bildstien	Mr Kennett	Mr Pescott	Mr Tanner
Mr Brown	Mr Kilgour	Mrs Peulich	Mrs Tehan
Mr Clark	Mr Leigh	Mr Phillips	Mr Thompson
Mr Coleman	Mr Lupton	Mr Plowman	(<i>Sandringham</i>)
Mr Cooper	Mr McArthur	(<i>Benambra</i>)	Mr Treasure
Mr Davis	Mrs McGill	Mr Reynolds	Mr Turner
Dr Dean	Mr McGrath	Mr Richardson	Mrs Wade
Mr Doyle	(<i>Wimmera</i>)	Mr Rowe	Mr Weideman
Mr Elder	Mr McLellan	Mr Ryan	Mr Wells
Mr Finn	(<i>Frankston East</i>)	Mr Smith	
Mr Gude	Mr Maclellan	(<i>Glen Waverley</i>)	
Mr Honeywood	(<i>Pakenham</i>)	Mr Smith	
Mr Hyams	Mr Maughan	(<i>Polwarth</i>)	<i>Tellers</i>
Mr Jasper	Dr Napthine	Mr Spry	Mrs Elliott
Mr Jenkins	Mr Paterson	Mr Steggall	Mrs Henderson

NOES, 19

Mr Andrianopoulos	Mr Haermeyer	Mr Sercombe	
Mr Baker	Mr Hamilton	Mr Sheehan	
Mr Batchelor	Mr Leighton	Mr Thomson	
Dr Coghill	Mr Loney	(Pascoe Vale)	Tellers
Mr Cunningham	Mr Micallef	Dr Vaughan	Mr Carli
Mr Dollis	Mr Seitz	Mrs Wilson	Mr Pandazopoulos

And so it was resolved in the affirmative.

Question - That this Bill be now read a second time - put

The House divided.

AYES, 53

Mr Ashley	Mr Jasper	Mr Paterson	Mr Stockdale
Mr Bildstien	Mr Jenkins	Mr Perrin	Mr Tanner
Mr Brown	Mr John	Mr Pescott	Mrs Tehan
Mr Clark	Mr Kennett	Mr Phillips	Mr Thompson
Mr Coleman	Mr Kilgour	Mr Plowman	(Sandringham)
Mr Cooper	Mr Leigh	(Benambra)	Mr Treasure
Mr Davis	Mr Lupton	Mr Reynolds	Mr Turner
Dr Dean	Mr McArthur	Mr Richardson	Mrs Wade
Mr Doyle	Mr McGrath	Mr Rowe	Mr Weideman
Mr Elder	(Wimmera)	Mr Ryan	Mr Wells
Mrs Elliott	Mr McLellan	Mr Smith	
Mr Finn	(Frankston East)	(Glen Waverley)	
Mr Gude	Mr Maclellan	Mr Smith	
Mrs Henderson	(Pakenham)	(Polwarth)	Tellers
Mr Honeywood	Mr Maughan	Mr Spry	Mrs McGill
Mr Hyams	Dr Napthine	Mr Steggall	Mrs Peulich

NOES, 19

Mr Baker	Mr Hamilton	Mr Sercombe	
Mr Batchelor	Mr Leighton	Mr Sheehan	
Dr Coghill	Mr Loney	Mr Thomson	
Mr Cunningham	Mr Micallef	(Pascoe Vale)	Tellers
Mr Dollis	Mr Pandazopoulos	Dr Vaughan	Mr Andrianopoulos
Mr Haermeyer	Mr Seitz	Mrs Wilson	Mr Carli

And so it was resolved in the affirmative.

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

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

- 12 **APPROPRIATION (INTERIM 1995-96) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

Ordered - That the debate be adjourned until tomorrow.

- 13 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 14 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 5.31 p.m., adjourned until Tuesday, 30 May 1995.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos. 59, 60, 61 and 62

No. 59 - Tuesday, 30 May 1995

- 1 Mr Speaker took the Chair and read the Prayer.
 - 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
 - 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Protection for Homeowners or Occupiers** - Seeking that the law be changed to protect the homeowner or occupier as the innocent as a result of illegal entry by felons or intruders, bearing 2,602 signatures (*by Mr Spry*)
 - Obstetricians and Gynaecologists for Country Areas** - Seeking that the Government investigate support which can be given to country areas in order to obtain the services of specialist obstetricians and gynaecologists, bearing 2,890 signatures (*by Mr Kilgour*).
- Severally ordered to lie on the Table.
- 4 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 7 of 1995 on the -
 - Business Franchise (Tobacco)(Amendment) Bill
 - Water Industry (Amendment) Bill
 - National Parks (Yarra Ranges and Other Amendments) Billtogether with an Appendix.
- Ordered to lie on the Table and to be printed.
- 5 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Auditor-General - Report on Ministerial Portfolios, May 1995 - Ordered to be printed
 - Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
 - Bass Planning Scheme - No. L36
 - Bright Planning Scheme - No. L40
 - Brighton Planning Scheme - Nos. L23, L25
 - Buninyong Planning Scheme - No. L51
 - Caulfield Planning Scheme - No. L26
 - Doncaster and Templestowe Planning Scheme - Nos. L81, L83
 - Greater Bendigo Planning Scheme - No. L26
 - Malvern Planning Scheme - No. L35
 - Oakleigh Planning Scheme - No. L39

Pakenham Planning Scheme - No. L93
 Shepparton City Planning Scheme - Nos. L56, L57
 Shepparton Shire Planning Scheme - No. L75
 Springvale Planning Scheme - Nos. L77, L78
 Surf Coast Planning Scheme - Nos. R22 Part 1, RL23
 Swan Hill City Planning Scheme - No. L18
 Tambo Planning Scheme - No. L64
 Warragul Planning Scheme - Nos. L30, L31
 Wonthaggi Planning Scheme - No. L23

Statutory Rules under the following Acts:

Bees Act 1971 - S.R. No. 56
 Road Safety Act 1986 - S.R. No. 60
 Subordinate Legislation Act 1994 - S.R. No. 59

Subordinate Legislation Act 1994 -

Ministers' exception certificates in relation to Statutory Rule Nos. 56, 59
 Minister's exemption certificate in relation to Statutory Rule No. 60.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 27 October 1992:

Constitution (Court of Appeal) Act 1994 - Whole Act on 7 June 1995 (*Gazette No. S41, 23 May 1995*)

Local Government (Elections) Act 1992 - Section 8 on 25 May 1995 (*Gazette No. G20, 25 May 1995*)

Local Government (General Amendment) Act 1993 - Section 9 on 25 May 1995 (*Gazette No. G20, 25 May 1995*).

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

Coroners (Amendment) Bill
 Mildura College Lands (Amendment) Bill
 Stamps (Amendment) Bill.

- 7 **VACANCIES IN THE MEMBERSHIP OF THE COUNCILS OF ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY, DEAKIN UNIVERSITY AND SWINBURNE UNIVERSITY OF TECHNOLOGY** - Mr Speaker announced that he had received the following communication:

12 May 1995

The Hon. John Delzoppo, MP
 Speaker
 Legislative Assembly
 Parliament House
 Spring Street
 MELBOURNE VIC. 3000

Dear Mr Speaker

Section 7(2)(h) of the Royal Melbourne Institute of Technology Act 1992, Section 7(1)(d) of the Deakin University Act 1974 and Section 7(2)(g) of the Swinburne University of Technology Act 1992, provide for appointment to the respective Councils by the Governor in Council of three persons "who are Members of the Parliament of Victoria recommended

for appointment by a joint sitting of the members of the Legislative Council and the Legislative Assembly conducted in accordance with rules adopted for the purpose by the members present at the sitting." The persons currently holding appointments to the respective Councils under these provisions are:-

Royal Melbourne Institute of Technology

The Hon Gerald Ashman, MLC
The Hon David Evans, MLC
Ms Sherryl Garbutt, MLA

Deakin University

Mrs Ann Mary Henderson, MLA
The Hon David Ernest Henshaw, MLC
Mr John Francis McGrath, MLA

Swinburne University of Technology

Mr Phillip Neville Honeywood, MLA
Mr Noel John Maughan, MLA
The Hon Robert Stuart Ives, MLC

The terms of appointment to these positions is three years and all are due to expire on 30 June 1995.

I seek your agreement to convene a joint sitting of members of the Legislative Assembly and the Legislative Council so that persons can be recommended to the Governor in Council for appointment to the respective Councils under these provisions.

Yours sincerely,

HADDON STOREY, QC, MLC
Minister for Tertiary Education and Training

Motion made and question - That this House meets the Legislative Council for the purpose of sitting and voting together to choose Members of the Parliament to be recommended for appointment to the Councils of the Royal Melbourne Institute of Technology, the Deakin University and the Swinburne University of Technology and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Wednesday, 31 May 1995, at 6.15 p.m. (*Mr Gude*) - put and agreed to.

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

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

(a) the Orders of the Day, Government Business, relating to the following Bills:

Australian Grand Prix (Amendment) Bill
Business Franchise (Tobacco) (Amendment) Bill
Electricity Industry (Amendment) Bill
State Deficit Levy (Repeal) Bill
Infertility Treatment Bill
Treasury Corporation of Victoria (Housing Finance) Bill
Grain Handling and Storage Bill
Superannuation Acts (General Amendment) Bill
Water Industry (Amendment) Bill
Water (Amendment) Bill

National Parks (Yarra Ranges and Other Amendments) Bill
 Health Services (Metropolitan Hospitals) Bill
 Land (Miscellaneous) Bill
 Medical Practice and Nurses Acts (Amendment) Bill
 Road Safety (Miscellaneous Amendments) Bill
 Appropriation (Interim 1995-96) Bill; and

(b) the Stamps (Further Amendment) Bill -

be considered and completed by 4.30 p.m. on Friday, 2 June 1995.

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

The House divided.

AYES, 59

Mr Ashley	Mr Jenkins	Dr Napthine	Mr Spry
Mr Bildstien	Mr John	Mr Perrin	Mr Steggall
Mr Brown	Mr Kennett	Mr Perton	Mr Tanner
Mr Clark	Mr Kilgour	Mr Pescott	Mrs Tehan
Mr Coleman	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Cooper	Mr Lupton	Mr Phillips	(<i>Sandringham</i>)
Mr Davis	Mr McArthur	Mr Plowman	Mr Traynor
Dr Dean	Mrs McGill	(<i>Benambra</i>)	Mr Treasure
Mr Doyle	Mr McGrath	Mr Plowman	Mr Turner
Mr Elder	(<i>Warrnambool</i>)	(<i>Evelyn</i>)	Mrs Wade
Mrs Elliott	Mr McGrath	Mr Reynolds	Mr Weideman
Mr Gude	(<i>Wimmera</i>)	Mr Richardson	Mr Wells
Mr Hayward	Mr McLellan	Mr Rowe	
Mr Heffernan	(<i>Frankston East</i>)	Mr Ryan	
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maclellan	(<i>Glen Waverley</i>)	<i>Tellers</i>
Mr Hyams	(<i>Pakenham</i>)	Mr Smith	Mr Finn
Mr Jasper	Mr Maughan	(<i>Polwarth</i>)	Mr Paterson

NOES, 24

Mr Andrianopoulos	Mr Dollis	Mr Micallef	Dr Vaughan
Mr Baker	Ms Garbutt	Mr Milderhall	Mrs Wilson
Mr Batchelor	Mr Haermeyer	Mr Sandon	
Mr Bracks	Mr Hamilton	Mr Seitz	
Mr Brumby	Mr Leighton	Mr Thomson	<i>Tellers</i>
Dr Coghill	Mr Loney	(<i>Pascoe Vale</i>)	Mr Carli
Mr Cunningham	Ms Marple	Mr Thwaites	Mr Pandazopoulos

And so it was resolved in the affirmative.

9 AUSTRALIAN GRAND PRIX (AMENDMENT) BILL - Motion made and question proposed - That this Bill be now read a second time (*Mr McNamara*).

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

Motion made and question proposed - That the debate be adjourned until Friday next (*Mr McNamara*).

Amendment proposed - That the words "until Friday next" be omitted with the view of inserting in place thereof the words "for two weeks" (*Mr Dollis*) - and, after debate -

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

The House divided.

AYES, 60

Mr Ashley	Mr Jasper	Mr Maughan	Mr Steggall
Mr Bildstien	Mr Jenkins	Dr Napthine	Mr Stockdale
Mr Brown	Mr John	Mr Paterson	Mr Tanner
Mr Clark	Mr Kennett	Mr Perrin	Mrs Tehan
Mr Coleman	Mr Kilgour	Mr Pertou	Mr Thompson
Mr Cooper	Mr Leigh	Mr Pescott	(Sandringham)
Mr Davis	Mr Lupton	Mrs Peulich	Mr Traynor
Dr Dean	Mr McArthur	Mr Phillips	Mr Treasure
Mr Doyle	Mrs McGill	Mr Plowman	Mr Turner
Mr Elder	Mr McGrath	(Evelyn)	Mrs Wade
Mrs Elliott	(Warrnambool)	Mr Reynolds	Mr Weideman
Mr Finn	Mr McGrath	Mr Richardson	Mr Wells
Mr Gude	(Wimmera)	Mr Ryan	
Mr Hayward	Mr McLellan	Mr Smith	
Mr Heffernan	(Frankston East)	(Glen Waverley)	Tellers
Mrs Henderson	Mr McNamara	Mr Smith	Mr Plowman
Mr Honeywood	Mr Maclellan	(Polwarth)	(Benambra)
Mr Hyams	(Pakenham)	Mr Spry	Mr Rowe

NOES, 24

Mr Baker	Mr Dollis	Mr Micallef	Dr Vaughan
Mr Batchelor	Ms Garbutt	Mr Mildenhall	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mr Sandon	
Mr Brumby	Mr Hamilton	Mr Seitz	
Mr Carli	Mr Leighton	Mr Thomson	Tellers
Dr Coghill	Mr Loney	(Pascoe Vale)	Mr Andrianopoulos
Mr Cunningham	Ms Marple	Mr Thwaites	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

The House divided.

AYES, 59

Mr Ashley	Mr John	Mr Perrin	Mr Stockdale
Mr Bildstien	Mr Kennett	Mr Perton	Mr Tanner
Mr Brown	Mr Kilgour	Mr Pescott	Mrs Tehan
Mr Clark	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Coleman	Mr Lupton	Mr Phillips	(<i>Sandringham</i>)
Mr Cooper	Mr McArthur	Mr Plowman	Mr Treasure
Mr Davis	Mrs McGill	(<i>Benambra</i>)	Mr Turner
Dr Dean	Mr McGrath	Mr Plowman	Mrs Wade
Mr Doyle	(<i>Warrnambool</i>)	(<i>Evelyn</i>)	Mr Weideman
Mr Elder	Mr McGrath	Mr Reynolds	
Mrs Elliott	(<i>Wimmera</i>)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(<i>Frankston East</i>)	Mr Ryan	
Mr Hayward	Mr McNamara	Mr Smith	
Mr Heffernan	Mr Maclellan	(<i>Glen Waverley</i>)	
Mrs Henderson	(<i>Pakenham</i>)	Mr Smith	
Mr Hyams	Mr Maughan	(<i>Polwarth</i>)	Tellers
Mr Jasper	Dr Napthine	Mr Spry	Mr Traynor
Mr Jenkins	Mr Paterson	Mr Steggall	Mr Wells

NOES, 24

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Dr Vaughan
Mr Baker	Mr Haermeyer	Mr Pandazopoulos	Mrs Wilson
Mr Batchelor	Mr Hamilton	Mr Sandon	
Mr Bracks	Mr Leighton	Mr Seitz	
Mr Brumby	Mr Loney	Mr Thomson	Tellers
Dr Coghill	Ms Marple	(<i>Pascoe Vale</i>)	Mr Carli
Mr Dollis	Mr Micallef	Mr Thwaites	Mr Cunningham

And so it was resolved in the affirmative.

Ordered - That the debate be adjourned until Friday next.

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

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

Pursuant to Sessional Orders, Mr Plowman (*Evelyn*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Question - put.

The House divided.

AYES, 58

Mr Ashley	Mr Jenkins	Mr Paterson	Mr Steggall
Mr Bildstien	Mr John	Mr Perrin	Mr Stockdale
Mr Brown	Mr Kennett	Mr Perton	Mr Tanner
Mr Clark	Mr Kilgour	Mr Pescott	Mrs Tehan
Mr Coleman	Mr Leigh	Mr Phillips	Mr Thompson
Mr Cooper	Mr Lupton	Mr Plowman	(Sandringham)
Mr Davis	Mr McArthur	(Benambra)	Mr Traynor
Mr Doyle	Mr McGrath	Mr Plowman	Mr Turner
Mr Elder	(Warrnambool)	(Evelyn)	Mrs Wade
Mrs Elliott	Mr McGrath	Mr Reynolds	Mr Weideman
Mr Finn	(Wimmera)	Mr Richardson	Mr Wells
Mr Gude	Mr McLellan	Mr Rowe	
Mr Hayward	(Frankston East)	Mr Ryan	
Mr Heffernan	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(Glen Waverley)	
Mr Honeywood	(Pakenham)	Mr Smith	Tellers
Mr Hyams	Mr Maughan	(Polwarth)	Dr Dean
Mr Jasper	Dr Napthine	Mr Spry	Mr Treasure

NOES, 20

Mr Andrianopoulos	Mr Haermeyer	Mr Mildenhall	Mrs Wilson
Mr Baker	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Thomson	
Dr Coghill	Mr Loney	(Pascoe Vale)	Tellers
Mr Cunningham	Ms Marple	Mr Thwaites	Mr Carli
Ms Garbutt	Mr Micallef	Dr Vaughan	Mr Pandazopoulos

And so it was resolved in the affirmative.

Bill read a second time and committed.

Committee reported progress; to sit again later this day.

- 12 **STATE DEFICIT LEVY (REPEAL) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

- 13 **INFERTILITY TREATMENT BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

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

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

Motion made and question - That the sitting be continued (Mrs Tehan) - put and agreed to.

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

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

Ordered - That the Bill be committed tomorrow.

14 MESSAGES FROM THE LEGISLATIVE COUNCIL -

Agreeing to the following Bills without amendment:

Melbourne and Olympic Parks (Amendment) Bill
 Legal Aid Commission (Amendment) Bill
 Consumer Credit (Victoria) Bill
 Government Employee Housing Authority (Amendment) Bill.

Acquainting the Assembly that they have agreed to meet the Assembly for the purpose of sitting and voting together to recommend Members of the Parliament of Victoria for appointment to the Councils of the Royal Melbourne Institute of Technology, Deakin University and Swinburne University of Technology, as proposed by the Assembly.

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

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

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

WEDNESDAY, 31 MAY 1995

Question - put and agreed to.

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

J.G. LITTLE

Clerk of the Legislative Assembly

JOHN E. DELZOPPO

Speaker

No. 60 - Wednesday, 31 May 1995

1 Mr Speaker took the Chair and read the Prayer.

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

Privatisation Campaign - Seeking that the Government immediately abandon its privatisation campaign and ensure that the SECV, Melbourne Water and the Gas and Fuel Corporation stay in Victorian hands, bearing 325 signatures (*by Ms Garbutt*).

Ordered to lie on the Table.

3 **CONSTITUTION ACT 1975 - SECTION 85** - Motion made, by leave, and question - That there be presented to this House a copy of the Discussion Paper of the Scrutiny of Acts and Regulations Committee on Section 85 of the *Constitution Act 1975* (Mr Perton) - put and agreed to.

4 **PAPER** - Mr Perton presented:

Discussion Paper of the Scrutiny of Acts and Regulations Committee on Section 85 of the *Constitution Act 1975* - Return to the foregoing Order.

Ordered to lie on the Table.

5 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Weideman, Chairman, brought up a Report from the Public Accounts and Estimates Committee upon Information Technology in the Public Sector, together with Appendices and Minutes of Evidence.

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

6 **LAW REFORM COMMITTEE** - Dr Vaughan brought up a Report from the Law Reform Committee upon the Law relating to Directors and Managers of Insolvent Corporations entitled "Curbing the Phoenix Company - Second Report", together with Appendices and Submissions.

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

7 **PAPERS** -

Mr Speaker presented -

BLF (De-recognition) Act 1985 - Thirty-first Report of the Custodian.

Ordered to lie on the Table and to be printed.

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

Standing Review and Advisory Committee on Infertility - Report for the year 1994

Victorian Dried Fruits Board - Report for the year 1994.

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

Business Franchise (Tobacco) (Amendment) Bill

Grain Handling and Storage Bill.

9 **KINDERGARTEN COMMITTEES OF MANAGEMENT** - Motion made and question proposed - That this House calls on the Government to introduce legislation to amend the *Associations Incorporation Act 1981* or take any steps necessary to ensure that members of kindergarten committees of management are not personally liable for debts incurred by kindergartens, ensuring that the cost of these actions are not borne by the kindergarten committees (*Ms Garbutt*) - and, after debate -

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

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

- 11 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Drugs, Poisons and Controlled Substances Act 1981' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **EXTRACTIVE INDUSTRIES DEVELOPMENT BILL** - Mr Plowman (*Evelyn*) obtained leave, with Mr Gude, to bring in a Bill "*to make further provision for extractive industries, to repeal the 'Extractive Industries Act 1966', to amend the 'Planning and Environment Act 1987' and make consequential amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **ROAD TRANSPORT CHARGES (VICTORIA) BILL** - Mr Brown obtained leave, with Mr Gude, to bring in a Bill "*to apply certain laws of the Commonwealth relating to road transport charges as laws of Victoria and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **UNIVERSITY ACTS (FURTHER AMENDMENT) BILL** - Mr Hayward, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the 'Monash University Act 1958', the 'Melbourne University Act 1958', the 'La Trobe University Act 1964', the 'Deakin University Act 1974', the 'Victorian College of the Arts Act 1981', the 'Victoria University of Technology Act 1990', the 'Swinburne University of Technology Act 1992', the 'Royal Melbourne Institute of Technology Act 1992', the 'University of Ballarat Act 1993' and the 'University Acts (Amendment) Act 1994' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **STAMPS (FURTHER AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Coleman, to bring in a Bill "*to make further amendments to the 'Stamps Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time, by leave, later this day.
- 16 **BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL** - Motion made and question - That it be an instruction to the Committee that they have power to consider an amendment and new clause to the Business Franchise (Tobacco) (Amendment) Bill to provide for the increase in fees payable for licences issued under the Principal Act (*Mr Stockdale*) - put and agreed to.
- 17 **NATIONAL PARKS (YARRA RANGES AND OTHER AMENDMENTS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr Coleman announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Debate resumed on question - That this Bill be now read a second time.
- Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

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- 18 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Gaming Acts (Amendment) Bill
 - Electricity Industry (Electricity Corporations) Bill
 - Public Prosecutions (Amendment) Bill.
- 19 **HEALTH SERVICES (METROPOLITAN HOSPITALS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mrs Tehan announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Debate resumed on question - That this Bill be now read a second time.
- Motion made and question - That the debate be now adjourned (*Dr Napthine*) - put and agreed to.
- Ordered - That the debate be adjourned until later this day.
- 20 **VACANCIES IN THE MEMBERSHIP OF THE COUNCILS OF THE ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY, DEAKIN UNIVERSITY AND SWINBURNE UNIVERSITY OF TECHNOLOGY** - Mr Deputy Speaker reported that, that day, this House met with the Legislative Council for the purpose of sitting and voting together to choose Members of the Parliament to be recommended for appointment to the Councils of the Royal Melbourne Institute of Technology, Deakin University and the Swinburne University of Technology, and that -
- The Honourable Gerald Barry Ashman, JP, MLC,
 - The Honourable David Mylor Evans, MLC and
 - Ms Sherryl Maree Garbutt, MP -
- were recommended for appointment as members of the Council of the Royal Melbourne Institute of Technology; and
- Mrs Ann Mary Henderson, MP,
 - The Honourable David Ernest Henshaw, MBE, MLC and
 - Mr John Francis McGrath, MP -
- were recommended for appointment as members of the Council of the Deakin University; and
- Mr Phillip Neville Honeywood, MP,
 - The Honourable Robert Stuart Ives, MLC and
 - Mr Noel John Maughan, MP -
- were recommended for appointment as members of the Council of the Swinburne University of Technology.
- 21 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
- Planning and Environment (Miscellaneous Amendments) Bill
 - Planning and Environment (Development Contributions) Bill.

- 22 **LAND (MISCELLANEOUS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

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

- 23 **WATER INDUSTRY (AMENDMENT) BILL AND WATER (AMENDMENT) BILL** - Order read for resuming debate on question - That these Bills be now read a second time.

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

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

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

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

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

Water (Amendment) Bill read a second time.

Motion made and question - That the Water Industry (Amendment) Bill be now read a second time (*Mr Coleman*) - put.

The House divided.

AYES, 59

Mr Ashley	Mr Jasper	Dr Napthine	Mr Steggall
Mr Bildstien	Mr Jenkins	Mr Paterson	Mr Stockdale
Mr Brown	Mr John	Mr Perrin	Mr Tanner
Mr Clark	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Coleman	Mr Leigh	Mr Pescott	Mr Thompson
Mr Cooper	Mr Lupton	Mrs Peulich	(<i>Sandringham</i>)
Mr Davis	Mr McArthur	Mr Plowman	Mr Traynor
Dr Dean	Mrs McGill	(<i>Benambra</i>)	Mr Treasure
Mr Doyle	Mr McGrath	Mr Plowman	Mr Turner
Mr Elder	(<i>Warrnambool</i>)	(<i>Evelyn</i>)	Mrs Wade
Mrs Elliott	Mr McGrath	Mr Reynolds	Mr Weideman
Mr Finn	(<i>Wimmera</i>)	Mr Richardson	Mr Wells
Mr Gude	Mr McLellan	Mr Rowe	
Mr Hayward	(<i>Frankston East</i>)	Mr Ryan	
Mr Heffernan	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(<i>Glen Waverley</i>)	Tellers
Mr Honeywood	(<i>Pakenham</i>)	Mr Smith	Mr Phillips
Mr Hiyams	Mr Maughan	(<i>Polwarth</i>)	Mr Spry

NOES, 24

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Haermeyer	Mr Sandon	Mrs Wilson
Mr Bracks	Mr Hamilton	Mr Seitz	
Mr Brumby	Mr Leighton	Mr Sercombe	
Dr Coghill	Mr Loney	Mr Sheehan	<i>Tellers</i>
Mr Cunningham	Ms Marple	Mr Thomson	Mr Carli
Mr Dollis	Mr Micallef	(<i>Pascoe Vale</i>)	Mr Pandazopoulos

And so it was resolved in the affirmative.

Water Industry (Amendment) Bill read a second time.

Bills committed; considered in Committee.

Water Industry (Amendment) Bill reported with amendments; as amended, considered and amendments agreed to.

Water (Amendment) Bill reported without amendment.

Bills read a third time.

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

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

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

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

THURSDAY, 1 JUNE 1995

Question - put and agreed to.

And the House, at 12.15 a.m., adjourned until later this day.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 61 - Thursday, 1 June 1995

1 Mr Speaker took the Chair and read the Prayer.

- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
Privatisation Campaign - Seeking that the Government immediately abandon its privatisation campaign and ensure that the SECV, Melbourne Water and the Gas and Fuel Corporation stay in Victorian hands, bearing 18 signatures (*by Mr Seitz*).
 Ordered to lie on the Table.
- 3 **DRAFT AUSTRALIAN ROAD RULES** - Motion made, by leave, and question - That there be presented to this House a copy of a Report from the Road Safety Committee upon the Draft Australian Road Rules (*Mr Richardson*) - put and agreed to.
- 4 **PAPER** - Mr Richardson presented:
 Draft Australian Road Rules - Report from the Road Safety Committee - Return to the foregoing Order.
 Ordered to lie on the Table.
- 5 **STANDING ORDERS COMMITTEE** - Mr Jasper brought up a Report from the Standing Orders Committee upon Fees for Private Bills.
 Ordered to lie on the Table and to be printed.
- 6 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 Auditor-General - Special Report No. 35 - Equality in the Workplace: Women in Management - Ordered to be printed
 Members of Parliament (Register of Interests) Act 1978 - Summary of Variations notified between 1 October 1994 and 31 May 1995 - Ordered to be printed
 Statutory Rules under the following Act:
 Emergency Services Superannuation Act 1986 - S.R. Nos. 57, 58.
- 7 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Stamps (Further Amendment) Bill.
- 8 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until tomorrow at 10.00 a.m. (*Mr Gude*) - put and agreed to.
- 9 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 1 be postponed until later this day.
- 10 **BUSINESS FRANCHISE (TOBACCO) (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
 Pursuant to Sessional Orders, Mr Stockdale announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
 Debate resumed on question - That this Bill be now read a second time.

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

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

- 11 **STAMPS (FURTHER AMENDMENT) BILL** - Bill read a second time, after debate and, by leave, read a third time forthwith.

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

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

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

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

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

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

- 13 **GRAIN HANDLING AND STORAGE BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

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

Bill read a second time.

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

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

- 15 **GRAIN HANDLING AND STORAGE BILL** - Bill committed; considered in Committee and reported with amendments; as amended, considered, and amendments agreed to; read a third time.

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

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

- 17 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
- Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 15 June 1995.
- 18 **EXTRACTIVE INDUSTRIES DEVELOPMENT BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Plowman, Evelyn*).
- Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 15 June 1995.
- 19 **ROAD TRANSPORT CHARGES (VICTORIA) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).
- Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 15 June 1995.
- 20 **UNIVERSITY ACTS (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Hayward*).
- Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 15 June 1995.
- 21 **TREASURY CORPORATION OF VICTORIA (HOUSING FINANCE) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to provide for - (a) relief and assistance for clients of Government Home Finance Schemes; and (b) a fair and equitable process to resolve the claims of clients who are in dispute with the Scheme and the outstanding claims of former clients." (*Mr Leighton*) - and, after debate -
- Question - That the words proposed to be omitted stand part of the question - put.

The House divided.

AYES, 57

Mr Bildstien	Mr Jenkins	Mr Paterson	Mr Tanner
Mr Brown	Mr John	Mr Perrin	Mrs Tehan
Mr Clark	Mr Kennett	Mr Perton	Mr Thompson
Mr Coleman	Mr Kilgour	Mr Pescott	(Sandringham)
Mr Cooper	Mr Leigh	Mrs Peulich	Mr Traynor
Mr Davis	Mr Lupton	Mr Phillips	Mr Treasure
Dr Dean	Mr McArthur	Mr Plowman	Mr Turner
Mr Doyle	Mr McGrath	(Benambra)	Mr Weideman
Mr Elder	(Warrnambool)	Mr Plowman	Mr Wells
Mrs Elliott	Mr McGrath	(Evelyn)	
Mr Finn	(Wimmera)	Mr Reynolds	
Mr Gude	Mr McLellan	Mr Richardson	
Mr Hayward	(Frankston East)	Mr Rowe	
Mr Heffernan	Mr McNamara	Mr Ryan	
Mrs Henderson	Mr Maclellan	Mr Smith	
Mr Honeywood	(Pakenham)	(Glen Waverley)	Tellers
Mr Hyams	Mr Maughan	Mr Spry	Mr Ashley
Mr Jasper	Dr Napthine	Mr Steggall	Mr McGill

NOES, 24

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Dr Vaughan
Mr Baker	Mr Haermeyer	Mr Sandon	Mrs Wilson
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Sheehan	
Mr Brumby	Mr Loney	Mr Thomson	Tellers
Mr Cunningham	Ms Marple	(Pascoe Vale)	Mr Carli
Mr Dollis	Mr Micallef	Mr Thwaites	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

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

- 22 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 8 of 1995, on the Australian Grand Prix (Amendment) Bill, together with an Appendix.

Ordered to lie on the Table and to be printed.

- 23 **CRIME PREVENTION COMMITTEE** - Mr Kilgour brought up the First Report from the Crime Prevention Committee upon the Inquiry into the 1992-93 Victoria Police Annual Report and in particular Sexual Offences Against Children and Adults entitled "Combating Child Sexual Assault, An Integrated Model", together with Appendices, Bibliography and Minutes of Evidence.

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

- 24 **MEDICAL PRACTICE AND NURSES ACTS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 25 **ROAD SAFETY (MISCELLANEOUS AMENDMENTS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 26 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 12 and 13 be postponed until later this day.
- 27 **ELECTRICITY INDUSTRY (AMENDMENT) BILL** - Further considered in Committee and reported with amendments; as amended, considered, and amendments agreed to.
Motion made and question - That this Bill be now read a third time (*Mr Plowman, Evelyn*) - put.
The House divided.

AYES, 55

Mr Ashley	Mr Jasper	Dr Napthine	Mr Spry
Mr Bildstien	Mr Jenkins	Mr Perrin	Mr Steggall
Mr Brown	Mr John	Mr Pescott	Mr Tanner
Mr Clark	Mr Kennett	Mrs Peulich	Mrs Tehan
Mr Coleman	Mr Kilgour	Mr Phillips	Mr Traynor
Mr Cooper	Mr Leigh	Mr Plowman	Mr Treasure
Mr Davis	Mr Lupton	(<i>Benambra</i>)	Mr Turner
Dr Dean	Mr McArthur	Mr Plowman	Mr Weideman
Mr Elder	Mrs McGill	(<i>Evelyn</i>)	Mr Wells
Mrs Elliott	Mr McGrath	Mr Reynolds	
Mr Finn	(<i>Warrnambool</i>)	Mr Richardson	
Mr Gude	Mr McLellan	Mr Rowe	
Mr Hayward	(<i>Frankston East</i>)	Mr Ryan	
Mr Heffernan	Mr McNamara	Mr Smith	
Mrs Henderson	Mr Maclellan	(<i>Glen Waverley</i>)	<i>Tellers</i>
Mr Honeywood	(<i>Pakenham</i>)	Mr Smith	Mr Doyle
Mr Hyams	Mr Maughan	(<i>Polwarth</i>)	Mr Paterson

NOES, 22

Mr Andrianopoulos	Ms Garbutt	Mr Sandon	Mr Thwaites
Mr Baker	Mr Haermeyer	Mr Seitz	Dr Vaughan
Mr Batchelor	Mr Leighton	Mr Sercombe	Mrs Wilson
Mr Bracks	Mr Loney	Mr Sheehan	<i>Tellers</i>
Dr Coghill	Ms Marple	Mr Thomson	Mr Carli
Mr Cunningham	Mr Micallef	(<i>Pascoe Vale</i>)	Mr Pandazopoulos

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

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

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

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

- 29 **HEALTH SERVICES (METROPOLITAN HOSPITALS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

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

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

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

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

The House divided.

AYES, 57

Mr Ashley	Mr John	Mr Paterson	Mr Steggall
Mr Bildstien	Mr Kennett	Mr Perrin	Mr Tanner
Mr Brown	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Clark	Mr Leigh	Mr Pescott	Mr Thompson
Mr Coleman	Mr Lupton	Mrs Peulich	(<i>Sandringham</i>)
Mr Cooper	Mr McArthur	Mr Phillips	Mr Traynor
Dr Dean	Mrs McGill	Mr Plowman	Mr Treasure
Mr Doyle	Mr McGrath	(<i>Benambra</i>)	Mr Turner
Mr Elder	(<i>Warrnambool</i>)	Mr Plowman	Mr Weideman
Mrs Elliott	Mr McGrath	(<i>Evelyn</i>)	Mr Wells
Mr Finn	(<i>Wimmera</i>)	Mr Reynolds	
Mr Gude	Mr McLellan	Mr Richardson	
Mr Hayward	(<i>Frankston East</i>)	Mr Rowe	
Mrs Henderson	Mr McNamara	Mr Ryan	
Mr Honeywood	Mr Maclellan	Mr Smith	
Mr Hyams	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	Tellers
Mr Jasper	Mr Maughan	Mr Smith	Mr Davis
Mr Jenkins	Dr Napthine	(<i>Polwarth</i>)	Mr Spry

NOES, 23

Mr Baker	Mr Haermeyer	Mr Seitz	Mrs Wilson
Mr Batchelor	Mr Leighton	Mr Sercombe	
Mr Bracks	Mr Loney	Mr Sheehan	
Dr Coghill	Ms Marple	Mr Thomson	
Mr Cunningham	Mr Micallef	(<i>Pascoe Vale</i>)	Tellers
Mr Dollis	Mr Pandazopoulos	Mr Thwaites	Mr Andrianopoulos
Ms Garbutt	Mr Sandon	Dr Vaughan	Mr Carli

And so it was resolved in the affirmative.

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

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

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

Equal Opportunity Bill
 Trade Measurement Bill
 Trade Measurement (Administration) Bill
 Children and Young Persons (Pre-hearing Conferences) Bill
 Financial Management and Audit Acts (Amendment) Bill
 State Deficit Levy (Repeal) Bill.

31 **APPROPRIATION (INTERIM 1995-96) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

Ordered - That the debate be adjourned until tomorrow.

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

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

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

FRIDAY, 2 JUNE 1995

Question - put and agreed to.

And the House, at 12.52 a.m., adjourned until later this day.

J.G. LITTLE

Clerk of the Legislative Assembly

JOHN E. DELZOPPO

Speaker

No. 62 - Friday, 2 June 1995

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

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

Legal Aid - Seeking that - (a) legislation be enacted which will deny the further granting of legal aid to custodial parents and others who contemptuously defy previous court orders and where legal aid is granted for separate child representation; and (b) the Government set up a parliamentary inquiry into the case of *Zabaneh v. Zabaneh*, No. ML 58946 of 1980, bearing 123 signatures (*by Mr Sandon*)

Privatisation Campaign - Seeking that the Government immediately abandon its privatisation campaign and ensure that the SECV, Melbourne Water and the Gas and Fuel Corporation stay in Victorian hands, bearing 691 and 16 signatures (by Mr Sercombe and Mr Thomson, Pascoe Vale, respectively)

Tullamarine Freeway Toll - Seeking that all proposals for the inequitable and regressive Tullamarine Freeway toll be abandoned, bearing 28 signatures (by Mr Thomson, Pascoe Vale)

Privatisation of Occupational Health & Safety Services - Seeking that the Government - (a) not proceed with privatisation of the Occupational Health & Safety Services; (b) withdraw draft plant regulations and issue in their place regulations which give full effect to the National Plant Standard declared in June 1994; and (c) retain certification requirements for earth moving equipment, explosive powered tools, laser operators, welders of pressure equipment and other classes of work currently subject to certification, bearing 4,720 signatures (by Mr Micallef).

Severally ordered to lie on the Table.

3 **CONSULTATIVE COUNCIL ON OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY REPORT** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Consultative Council on Obstetric and Paediatric Mortality and Morbidity for the year 1993 (Mr Gude) - put and agreed to.

4 **PAPER** - Mr Gude presented:

Consultative Council on Obstetric and Paediatric Mortality and Morbidity - Report for the year 1993 - Return to the foregoing Order.

Ordered to lie on the Table.

5 **PAPERS** -

Mrs Wade presented by Command of His Excellency the Governor:

County Court of Victoria - Report for the year 1993-94

Council of Magistrates - Report for the year 1994

Supreme Court Judges - Report for the year 1994.

Severally ordered to lie on the Table.

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

Ballarat University - Report for the year 1994

Deakin University - Report for the year 1994

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

Poisons Code - Amendment of Code by Standard for the Uniform Scheduling of Drugs and Poisons No. 9, Amendments Nos. 3 and 4 and Notice regarding the amendment, commencement and availability of amendments (three papers)

Freedom of Information Act 1982 - Report of the Attorney-General on Local Government Councils for the period ended 30 June 1994

La Trobe University - Report for the year 1994

Melbourne University - Report for the year 1994

Monash University - Report for the year 1994

RMIT - Report for the year 1994

State Owned Enterprises Act 1992 -

Memorandum and articles of City West Water Limited with amendments (two papers)

Memorandum and articles of South East Water Limited with amendments (three papers)

Memorandum and articles of Yarra Valley Water Limited with amendments (three papers)

Swinburne University of Technology - Report for the year 1994

Victoria Law Foundation - Report for the year ended 30 September 1994

Victoria University of Technology - Report for the year 1994

Victorian College of Agriculture and Horticulture - Report for the year 1994.

- 6 **APPROPRIATION (INTERIM 1995-96) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

- 7 **AUSTRALIAN GRAND PRIX (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

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

- 9 **AUSTRALIAN GRAND PRIX (AMENDMENT) BILL** - Debate continued on question - That this Bill be now read a second time.

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 30 May 1995 had expired.

Question - put.

The House divided.

AYES, 56

Mr Ashley	Mr Jenkins	Mr Perrin	Mr Thompson
Mr Bildstien	Mr John	Mr Perton	(Sandringham)
Mr Brown	Mr Kennett	Mr Pescott	Mr Traynor
Mr Clark	Mr Kilgour	Mrs Peulich	Mr Treasure
Mr Coleman	Mr Leigh	Mr Phillips	Mr Turner
Mr Cooper	Mr Lupton	Mr Plowman	Mrs Wade
Mr Davis	Mr McArthur	(Benambra)	Mr Weideman
Dr Dean	Mrs McGill	Mr Plowman	Mr Wells
Mr Elder	Mr McGrath	(Evelyn)	
Mrs Elliott	(Warrnambool)	Mr Richardson	
Mr Finn	Mr McLellan	Mr Rowe	
Mr Gude	(Frankston East)	Mr Ryan	
Mr Hayward	Mr McNamara	Mr Smith	
Mr Heffernan	Mr Maclellan	(Glen Waverley)	
Mrs Henderson	(Pakenham)	Mr Smith	
Mr Honeywood	Mr Maughan	(Polwarth)	Tellers
Mr Hyams	Dr Napthine	Mr Steggall	Mr Doyle
Mr Jasper	Mr Paterson	Mr Tanner	Mr Spry

NOES, 23

Mr Baker	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Bracks	Mr Leighton	Mr Seitz	
Mr Brumby	Mr Loney	Mr Sheehan	
Dr Coghill	Ms Marple	Mr Thomson	
Mr Dollis	Mr Micallef	(Pascoe Vale)	Tellers
Ms Garbutt	Mr Mildenhall	Mr Thwaites	Mr Andrianopoulos
Mr Haermeyer	Mr Pandazopoulos	Dr Vaughan	Mr Carli

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

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

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

Parliamentary Committees Act 1968 - Response of the Minister for Health on action taken with respect to the recommendations made by the Public Accounts and Estimates Committee's Report regarding Victorian Public Hospitals - Arrangements with Contracted Doctors

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

- Dandenong Planning Scheme - No. L39
- Knox Planning Scheme - Nos. L73, L86
- Lillydale Planning Scheme - No. L142
- Mildura Shire Planning Scheme - No. L30.

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

- 12 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 13 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 5.31 p.m., adjourned until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified in writing to each Member of the House.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 63, 64 and 65

No. 63 - Tuesday, 5 September 1995

- 1 The House met pursuant to the terms of the resolution of 2 June 1995, Mr Speaker having fixed this day at 2.00 p.m. as the time of meeting - Mr Speaker took the Chair and read the Prayer.
- 2 QUESTIONS - (Pursuant to Standing Order No. 124).
- 3 PETITIONS - The Clerk announced that the following petitions had been lodged for presentation:

Ministry of Housing Estate, North Melbourne - Seeking that the recreation rooms at the Ministry of Housing Estate at 159 Melrose Street, North Melbourne be retained, maintained and regularly upgraded for the recreational activities and use of the tenants of the Estate, bearing 44 signatures (*by Mr Cole*)

Human Rights Protection - Seeking that - (a) human life be protected at all stages of its existence; and (b) Victoria's laws protecting human life be enforced and patient care, not patient killing, be promoted, bearing 28 signatures (*by Mr Tanner*)

Protection for Home-owners or Occupiers - Seeking that the law be changed to protect the home-owner or occupier as the innocent as a result of illegal entry by felons or intruders, bearing 372 signatures (*by Mr Spry*)

Warrandyte Police Residence - Seeking that the police residence in Yarra Street, Warrandyte be retained so that the fifty year tradition of a senior police officer's presence at night and on weekends in Warrandyte is upheld, bearing 1,569 signatures (*by Mr Honeywood*)

Privatisation Campaign - Seeking that the Government immediately abandon its privatisation campaign and ensure that the SECV, Melbourne Water and the Gas and Fuel Corporation stay in Victorian hands, bearing 1207 signatures (*by Ms Garbutt*)

Latrobe Valley Local Hospitals Amalgamation - Seeking that the decision to amalgamate the two local hospitals in the Latrobe Valley be rescinded and that the Treasurer agree to meet with a deputation to discuss the provision of adequate funding for restoration of the two existing hospitals to the local community, bearing 1187 signatures (*by Mr Hamilton*)

Severally ordered to lie on the Table.

- 4 PETITION - WARRANDYTE POLICE RESIDENCE - Motion made and question - That the petition presented by the Member for Warrandyte relating to the Warrandyte police residence be taken into consideration tomorrow (*Mr Haermeyer*) - put and agreed to.

- 5 **NATIONAL ROAD TRAUMA ADVISORY COUNCIL** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the National Road Trauma Advisory Council for the period ended 30 June 1994 (*Mr Brown*) - put and agreed to.
- 6 **PAPER** - Mr Brown presented:
 National Road Trauma Advisory Council - Report for the period ended 30 June 1994 - Return to the foregoing Order.
 Ordered to lie on the Table.
- 7 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 9 of 1995 on the -
 Drugs Poisons and Controlled Substances (Amendment) Bill
 Extractive Industries Development Bill
 Road Transport Charges (Victoria) Bill
 Stamps (Further Amendment) Bill
 University Acts (Further Amendment) Bill
 Health Services (Metropolitan Hospitals) Bill
 Infertility Treatment Bill
 Business Franchise (Tobacco) (Amendment) Bill
 Public Transport Competition Bill
 together with an Appendix.
 Ordered to lie on the Table and to be printed.
- 8 **PUBLIC BODIES REVIEW COMMITTEE** - Mr Cooper, Chairman, brought up a Report from the Public Bodies Review Committee on its Inquiry into the Liquor Licensing Commission, Victoria, together with Appendices and Minutes of Evidence.
 Ordered to lie on the Table and the Report and Appendices to be printed.
- 9 **PAPERS** -
 Mr Speaker presented -
 BLF (De-recognition) Act 1985 - Thirty-second Report of the Custodian.
 Ordered to lie on the Table and to be printed.
 The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 Border Groundwater Agreement Review Committee - Report for the year 1993-94
 Constitution Act Amendment Act 1958 -
 Report on the Williamstown District By-Election, 13 August 1994
 Statement of functions conferred on the Electoral Commissioner, 30 May 1995 and 25 July 1995 (two papers)
 Crown Land (Reserves) Act 1978 - Order pursuant to sections 17B, 17D and 17DA giving approval to the granting of a lease and a licence
 Education Act 1958 - Ministerial Orders Nos. 1 and 2 - Discipline of Pupils (two papers)
 Flora and Fauna Guarantee Act 1988 - Orders in Council adding items to Schedule 2 - List of Taxa and Communities of Flora or Fauna which are threatened and Schedule 3 - List of potentially threatening processes (two papers)

Goulburn Valley Region Water Authority - Report for the year 1993-94, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefor

Interpretation of Legislation Act 1984 -

Notice under section 32(3)(a) in relation to Statutory Rule No. 63/1995

Notice under section 32(4)(a) in relation to Statutory Rule No. 119/1992

Kyabram Town Council Water and Wastewater Functions - Report for the year 1993-94, together with notification from the Minister for Natural Resources of the failure to submit the annual report and the reasons therefor

Loddon-Campaspe Regional Planning Authority - Report for the year ended 30 September 1993

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

All Planning Schemes - Nos. S40, S43, S46, S47, S49, S50, SL1, SR3, SRL1

Ararat Planning Scheme - No. L1

Bacchus Marsh Planning Scheme - Nos. L42, L44

Bairnsdale (Shire) Planning Scheme - Nos. L52, L53

Ballaarat (City) Planning Scheme - Nos. L55, L56, L62

Bannockburn Planning Scheme - Nos. R21, R23

Bass Planning Scheme - No. L33

Berwick Planning Scheme - No. L84

Bright Planning Scheme - No. L39

Broadmeadows Planning Scheme - No. L68

Bulla Planning Scheme - Nos. L79, L91, L96, L98, L103, L104, L112

Buln Buln Planning Scheme - No. L40

Camberwell Planning Scheme - No. L45

Campaspe Shire Planning Scheme Amalgamation Amendment

Caulfield Planning Scheme - No. L34

Central Goldfields Shire Planning Scheme Amalgamation Amendment

Charlton Planning Scheme - No. L4

Colac-Otway Planning Scheme - No. L1

Cranbourne Planning Scheme - Nos. L94, L114, L116, L127, L144

Croydon Planning Scheme - Nos. L63, L66 Part 1, L67

Dandenong Planning Scheme - No. L28 Part 2

Daylesford and Glenlyon Planning Scheme - No. L14

Deakin Planning Scheme - Nos. L36, L38

Doncaster and Templestowe Planning Scheme - Nos. L61, L62, L73 Part 2, L86, L87

Essendon Planning Scheme - No. L64

Fitzroy Planning Scheme - No. L38

Footscray Planning Scheme - No. L51

Frankston Planning Scheme - Nos. L59, L67

Greater Bendigo Planning Scheme - Nos. L18, L25, L30, L31, L32

Greater Geelong Planning Scheme - Nos. R107, R115 Part 1, R118 Part 1, RL83, RL87, RL105 Part A, RL114, RL117, RL119, RL127

Grenville Planning Scheme - No. L15

Hastings Planning Scheme - Nos. L60, L69, L81, L97, L100

Hawthorn Planning Scheme - Nos. L34, L35

Healesville Planning Scheme - Nos. L48 Part 1 and Part 2, L56, R14

Horsham (Rural City) Planning Scheme - No. L4 Part 1

Keilor Planning Scheme - Nos. L87, L94

Kerang Borough Planning Scheme - No. L4 Part 2

Knox Planning Scheme - Nos. L92, L93
Korumburra Planning Scheme - No. L62
Lillydale Planning Scheme - Nos. L106, L126, L146, L153, R14
Macedon Ranges Planning Scheme - No. L25
Macedon Ranges Shire Planning Scheme Amalgamation Amendment
Maffra Planning Scheme - No. L28
Malvern Planning Scheme - Nos. L31, L36
Maribyrnong Planning Scheme Amalgamation Amendment
Melbourne Planning Scheme - Nos. L158, L168, L178, L190, L192, L194
Melton Planning Scheme - Nos. L49, L59
Metropolitan Region Planning Schemes - No. RL163
Milawa Planning Scheme - Nos. L1, L16
Milawa Planning Scheme Amalgamation Amendment
Mildura City Planning Scheme - Nos. L48, L54
Mitchell Planning Scheme - Nos. L7 Part 1, L84
Mitchell Shire Planning Scheme Amalgamation Amendment
Moe Planning Scheme - Nos. L32, L34
Moira Planning Scheme Amalgamation Amendment
Moorabbin Planning Scheme - Nos. L41, L50, L53
Moreland Planning Scheme - Nos. L3, L4, L8, L9
Mornington Planning Scheme - No. L54
Morwell Planning Scheme - No. L41 Part A
Northcote Planning Scheme - Nos. L36, L37
Nunawading Planning Scheme - Nos. L78, L81
Pakenham Planning Scheme - Nos. L42, L100, L105, L110, L112
Phillip Island Planning Scheme - No. L60
Port Melbourne Planning Scheme - No. L19
Prahran Planning Scheme - Nos. L52, L58 Part 1, L60, L65
Preston Planning Scheme - No. L57
Rochester Planning Scheme - No. L13
Rodney Planning Scheme - Nos. L69, L79
Rosedale Planning Scheme - Nos. L44, L46
Sale Planning Scheme - No. L28
Sandringham Planning Scheme - No. L16
Shepparton City Planning Scheme - No. L55
Sherbrooke Planning Scheme - Nos. L81, L89, L90, L91, R14
South Melbourne Planning Scheme - Nos. L59, L101, L105
Southern Grampians Planning Scheme Amalgamation Amendment
Springvale Planning Scheme - No. L85
Stawell (Shire) Planning Scheme - No. L20
Sunshine Planning Scheme - Nos. L72, L79, L87
Swan Hill Shire Planning Scheme - No. L19
Traralgon (City) Planning Scheme - No. L58
Upper Yarra Planning Scheme - Nos. L35, L39, L43, L46, R14
Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan - Amendment
Nos. 63, 73, 75, 78, 79, 80
Warragul Planning Scheme - No. L33
Warrnambool Planning Scheme - Nos. L4, L5, L6
Waverley Planning Scheme - No. L53
Werribee Planning Scheme - Nos. L67, L80, L81, L85, L86
Whittlesea Planning Scheme - Nos. L84 Part 2, L110, L114
Wycheproof Planning Scheme - No. L4

Project Development and Construction Management Act 1994 -

Nomination Orders pursuant to section 6 (two papers)

Application Orders pursuant to section 8 (two papers)

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

Rural Finance Act 1988 - Variation of direction by the Treasurer to the Rural Finance Corporation to establish, operate and administer a scheme of assistance for persons affected by potential drought conditions in Victoria

State Superannuation Fund - Report of the Actuarial Investigation as at 30 June 1994

Statutory Rules under the following Acts:

Administration and Probate Act 1958 - S.R. No. 91

Adoption Act 1984 - S.R. No. 68

Aerial Spraying Control Act 1966 - S.R. No. 62

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 - S.R. No. 90

Audit Act 1994 - S.R. No. 78

Business Franchise (Tobacco) Act 1974 - S.R. No. 102

Children and Young Persons Act 1989 - S.R. No. 92

Chiropractors and Osteopaths Act 1978 - S.R. No. 80

Conservation, Forests and Lands Act 1987 - S.R. No. 74

Country Fire Authority Act 1958 - S.R. No. 107

Credit (Administration) Act 1984 - S.R. No. 69

Defence Reserves Re-Employment Act 1995 - S.R. No. 94

Drugs, Poisons and Controlled Substances Act 1981 - S.R. No. 63

Electricity Industry Act 1993 - S.R. No. 75

Environment Protection Act 1970 - S.R. No. 93

Equipment (Public Safety) Act 1994 - S.R. No. 82

Fisheries Act 1968 - S.R. Nos. 84, 96, 104

Health Services Act 1988 - S.R. Nos. 87, 89

Hospitals Superannuation Act 1988 - S.R. No. 77

Lotteries Gaming and Betting Act 1966 - S.R. No. 79

Magistrates' Court Act 1989 - S.R. Nos. 99, 103

Melbourne and Metropolitan Board of Works Act 1958 - S.R. No. 105

Metropolitan Fire Brigades Act 1958 - S.R. No. 106

Occupational Health and Safety Act 1985 - S.R. Nos. 81, 83

Prostitution Control Act 1994 - S.R. No. 72

Public Sector Management Act 1992 - S.R. No. 70

Registration of Births Deaths and Marriages Act 1959 - S.R. No. 67

Retail Tenancies Act 1986 - S.R. No. 95

Road Safety Act 1986 - S.R. Nos. 85, 98, 108

Stamps Act 1958 - S.R. No. 86

Stock Diseases Act 1968 - S.R. No. 61

Subordinate Legislation Act 1994 - S.R. Nos. 64, 65, 66

Supreme Court Act 1986 - S.R. No. 71

Surveyors Act 1978 - S.R. No. 76

Transport Act 1983 - S.R. No. 97

Water Act 1989 - S.R. No. 101

Water Industry Act 1994 - S.R. No. 73

Workers Compensation Act 1958 - S.R. No. 100

Zoological Parks and Gardens Act 1967 - S.R. No. 88

Subordinate Legislation Act 1994 -

Ministers' exception certificates in relation to Statutory Rule Nos. 61, 62, 64, 65, 66, 71, 101, 105

Ministers' exemption certificates in relation to Statutory Rule Nos. 68, 69, 70, 73, 74, 80, 85, 86, 87, 89, 90, 92, 93, 95, 97, 98, 102

Transport Act 1983 - Order for Transfer of Assets and Liabilities pursuant section 81

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 27 October 1992:

Australian Food Industry Science Centre Act 1995 - Sections 5 to 30 inclusive on 1 June 1995 (*Gazette No. G21, 1 June 1995*)

Coastal Management Act 1995 - Remaining provisions except Division 4 of Part 3 and sections 42(2), (3), (4), (5), (6), 43, 44 and 45 on 6 July 1995 (*Gazette No. G26, 6 July 1995*)

Defence Reserves Re-Employment Act 1995 - Sections 3 to 19 inclusive on 27 July 1995 (*Gazette No. G29, 27 July 1995*)

Domestic (Feral and Nuisance) Animals Act 1994 - Remaining provisions on 9 April 1996 (*Gazette No. G28, 20 July 1995*)

Electricity Industry (Amendment) Act 1995 - All provisions (except Parts 1 and 4 and sections 4(2), 9, 10, 12, 37, 38, 46, 47, 53(2) and 67(2)) on 20 June 1995 and section 12 on 1 July 1995 (*Gazette No. S52, 20 June 1995*). Sections 9, 10, 46 and 47 on 8 August 1995 (*Gazette No. S78, 8 August 1995*)

Gaming Acts (Amendment) Act 1995 - Section 17 on 14 August 1995 (*Gazette No. S79, 8 August 1995*). Section 35 on 24 August 1995 (*Gazette No. G33, 24 August 1995*).

Gas and Fuel Corporation (Repeal) Act 1995 - (a) Parts 2 and 5 on 14 June 1995; and (b) Remaining provisions (except section 44(2)) on 21 June 1995 (*Gazette No. S49, 14 June 1995*)

Grain Handling and Storage Act 1995 - (a) Sections 4 to 12 and 26 to 38 inclusive on 14 June 1995; and (b) Sections 13 to 25 inclusive and 39(1) on 1 July 1995 (*Gazette No. S49, 14 June 1995*)

Land (Miscellaneous) Act 1995 - Sections 4, 6, 7, 8 and 9 and Schedules 1 and 2 on 3 August 1995 (*Gazette No. G30, 3 August 1995*)

Latrobe Regional Commission (Repeal) Act 1995 - Section 7 on 15 August 1995 (*Gazette No. G29, 27 July 1995*)

Legal Profession Practice (Guarantee Fund) Act 1993 - Section 7 on 19 June 1995 (*Gazette No. G23, 15 June 1995*)

Melbourne Sports and Aquatic Centre Act 1994 - Sections 3 and 4 of Part 1 and Parts 2, 3, 4, 5 and 6 on 1 June 1995 (*Gazette No. S45, 31 May 1995*)

National Parks (Yarra Ranges and Other Amendments) Act 1995 - Section 3; Part 3; Part 4 (except section 45); Schedule 2; and Schedule 3 (except paragraph (c) of part B of that Schedule) on 3 August 1995 (*Gazette No. G30, 3 August 1995*)

Occupational Health and Safety Act 1985 - Items 13, 48 and 61 in Schedule 2 on 1 July 1995 (*Gazette No. G25, 29 June 1995*)

Planning Authorities Repeal Act 1994 - Sections 12 and 13 on 1 July 1995 (*Gazette No. S63, 29 June 1995*)

Queen Victoria Women's Centre Act 1994 - Remaining provisions on 15 June 1995 (*Gazette No. G23, 15 June 1995*)

Retail Tenancies (Amendment) Act 1995 - Remaining provisions on 1 August 1995
(*Gazette No. G28, 20 July 1995*)

Road Safety (Miscellaneous Amendments) Act 1995 - (a) Sections 3 to 9, 11 to 13, 15 to 17,
19, 21 to 25 and 27 on 6 July 1995; and (b) Sections 18 and 26 on 1 November 1995
(*Gazette No. G26, 6 July 1995*)

Water Industry (Amendment) Act 1995 - Remaining provisions except sections 16(8),
22(a), 22(e), 22(g), 22(h), 22(l) and 33 on 29 June 1995 (*Gazette No. G25, 29 June 1995*).

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

National Parks (Yarra Ranges and Other Amendments) Bill
Stamps (Further Amendment) Bill
Business Franchise (Tobacco) (Amendment) Bill
Treasury Corporation of Victoria (Housing Finance) Bill
Medical Practice and Nurses Acts (Amendment) Bill
Land (Miscellaneous) Bill
Graining Handling and Storage Bill
Electricity Industry (Amendment) Bill
Health Services (Metropolitan Hospitals) Bill
Australian Grand Prix (Amendment) Bill
Infertility Treatment Bill
Water (Amendment) Bill
Water Industry (Amendment) Bill
Superannuation Acts (General Amendment) Bill
Road Safety (Miscellaneous Amendments) Bill
Appropriation (Interim 1995-96) Bill.

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

On 6 June 1995

Appropriation (Parliament) (Interim 1995-96) Bill
Electricity Industry (Electricity Corporations) Bill
Financial Institutions Duty (Amendment) Bill
Gas and Fuel Corporation (Repeal) Bill
Government Employee Housing Authority (Amendment) Bill
Local Government (Further Amendment) Bill
Melbourne and Olympic Parks (Amendment) Bill
Planning and Environment (Miscellaneous Amendments) Bill
Public Prosecutions (Amendment) Bill
Retail Tenancies (Amendment) Bill
Royal Botanic Gardens and Victorian Conservation Trust (Amendment) Bill

On 14 June 1995

Australian Grand Prix (Amendment) Bill
Children and Young Persons (Pre-hearing Conferences) Bill
Consumer Credit (Victoria) Bill
Equal Opportunity Bill
Financial Management and Audit Acts (Amendment) Bill
Gaming Acts (Amendment) Bill
Grain Handling and Storage Bill
Health Services (Metropolitan Hospitals) Bill

Land (Miscellaneous) Bill
 Legal Aid Commission (Amendment) Bill
 Medical Practice and Nurses Acts (Amendment) Bill
 Planning and Environment (Development Contributions) Bill
 Plant Health and Plant Products Bill
 Stamps (Further Amendment) Bill
 State Deficit Levy (Repeal) Bill

On 20 June 1995

Appropriation (Interim 1995-96) Bill
 Business Franchise (Tobacco) (Amendment) Bill
 Electricity Industry (Amendment) Bill
 National Parks (Yarra Ranges and Other Amendments) Bill
 Road Safety (Miscellaneous Amendments) Bill
 Trade Measurement Bill
 Trade Measurement (Administration) Bill
 Treasury Corporation of Victoria (Housing Finance) Bill
 Water (Amendment) Bill

On 27 June 1995

Infertility Treatment Bill
 Superannuation Acts (General Amendment) Bill
 Water Industry (Amendment) Bill.

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

Extractive Industries Development Bill
 Road Transport Charges (Victoria) Bill.

- 13 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Appropriation (1995-96, No. 1) Bill, with accompanying Estimates of Expenditure requiring annual appropriation in the financial year 1995-96 for recurrent services and for certain works and purposes.

Estimates ordered to lie on the Table.

- 14 **APPROPRIATION (1995-96, No. 1) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "to appropriate certain sums out of the Consolidated Fund for recurrent services and for certain works and services for the financial year 1995-96 and to appropriate the supplies granted for recurrent services and for certain works and services under the 'Appropriation (Interim 1995-96) Act 1995' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time forthwith.

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

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

Ordered - That the debate be adjourned until Tuesday, 12 September 1995.

- 15 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Appropriation (Parliament 1995-96, No. 1) Bill, with

accompanying Estimates of Expenditure requiring annual appropriation in the financial year 1995-96 for recurrent services and for certain works and purposes.

Estimates ordered to lie on the Table.

- 16 **APPROPRIATION (PARLIAMENT 1995-96, No. 1) BILL** - Mr Stockdale, pursuant to Standing Order No. 169(a), obtained leave, with Mr Kennett, to bring in a Bill "to appropriate moneys out of the Consolidated Fund for recurrent services and for certain works and services for the Parliament for the financial year 1995-96 and to appropriate the supplies granted for recurrent services and for certain works and services under the 'Appropriation (Parliament) (Interim 1995-96) Act 1995' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time forthwith.

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

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

Ordered - That the debate be adjourned until Tuesday, 12 September 1995.

- 17 **OMBUDSMAN AND ACTING DEPUTY OMBUDSMAN** - Mr Speaker announced that, on 2 August 1995, he had administered to Dr Barry William Perry, the Ombudsman and Charles Francis Baré, the Acting Deputy Ombudsman, the oath required by section 10 of the *Ombudsman Act 1973*.

- 18 **GRIEVANCES** - Motion made, by leave, and question - That for the purposes of Sessional Order No. 4(1), Wednesday, 11 October 1995 and Wednesday, 15 November 1995 be appointed days upon which the question "That grievances be noted" may be put (*Mr McGrath, Wimmera*) - put and agreed to.

- 19 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 7 September 1995:

Public Transport Competition Bill
 Road Transport Charges (Victoria) Bill
 Extractive Industries Development Bill
 Drugs, Poisons and Controlled Substances (Amendment) Bill
 University Acts (Further Amendment) Bill

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

- 20 **PUBLIC TRANSPORT COMPETITION BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the proposed regulatory framework is fully known, all the concerns of the industry have been fully canvassed and resolved and there is a clear and particularised commitment to meeting community service obligations and customer service standards" (*Mr Batchelor*) - and, after debate -

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

Debate continued on question and amendment.

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

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

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

- 21 **ROAD TRANSPORT CHARGES (VICTORIA) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

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

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

And the House, at 10.54 p.m., adjourned until tomorrow.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 64 - Wednesday, 6 September 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **FRENCH NUCLEAR TEST** - Motion made, by leave, and question - That this House condemns in the strongest possible terms French President Chirac and his Government for ignoring world opinion and adopting an arrogant, colonial stance by exploding a nuclear device at Mururoa, thereby putting at risk the lives of people and the fragile environment in the Pacific region, and that the House supports the community protests in the Pacific and in Victoria and elsewhere against this contemptuous action by the French Government and demands that the President of France, Jacques Chirac, immediately cancel the testing program now and for all time, dismantles the nuclear installations and takes all steps to repair the damage to the environment and that this resolution be conveyed to the French Consul-General, the Australian Ambassador in France and the French President (*Mr Brumby*) - put, after debate, and agreed to.

- 3 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:

Fawkner/Campellfield Community Health Centre - Seeking that the House take all necessary steps to ensure that the Fawkner/Campellfield Community Health Centre remain open, bearing 2642 signatures (*by Mr Thomson, Pascoe Vale*)

Ordered to lie on the Table.

- 4 **ADJOURNMENT MOTION - CHILD PROTECTION SERVICES** - Mr Brumby proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

“The Government’s failure to address the crisis in the child protection system as evidenced by the submission to the Auditor-General of the Children’s Welfare Association of Victoria and the failure of the Minister for Community Services to rule out further cuts to childrens’ protection services.”

Mr Speaker having ascertained that twelve members approved of the proposed discussion -

Motion made and question - That the House do now adjourn (*Mr Brumby*) - after debate, put.

The House divided.

AYES, 22

Mr Baker	Mr Hamilton	Mr Seitz	
Mr Batchelor	Mr Leighton	Mr Sercombe	
Mr Bracks	Mr Loney	Mr Sheehan	
Mr Brumby	Ms Marple	Mr Thomson	
Mr Cole	Mr Micallef	(<i>Pascoe Vale</i>)	<i>Tellers</i>
Ms Garbutt	Mr Mildenhall	Dr Vaughan	Mr Carli
Mr Haermeyer	Mr Sandon	Mrs Wilson	Mr Cunningham

NOES, 55

Mr Ashley	Mr Kilgour	Mr Perrin	Mr Spry
Mr Bildstien	Mr Leigh	Mr Perton	Mr Steggall
Mr Brown	Mr Lupton	Mr Pescott	Mr Tanner
Mr Clark	Mr McArthur	Mrs Peulich	Mrs Tehan
Mr Coleman	Mrs McGill	Mr Phillips	Mr Thompson
Mr Cooper	Mr McGrath	Mr Plowman	(<i>Sandringham</i>)
Mr Davis	(<i>Warrnambool</i>)	(<i>Benambra</i>)	Mr Treasure
Dr Dean	Mr McGrath	Mr Plowman	Mr Turner
Mr Doyle	(<i>Wimmera</i>)	(<i>Evelyn</i>)	Mrs Wade
Mr Elder	Mr McLellan	Mr Reynolds	Mr Weideman
Mrs Elliott	(<i>Frankston East</i>)	Mr Richardson	Mr Wells
Mr Hayward	Mr McNamara	Mr Rowe	
Mrs Henderson	Mr Maclellan	Mr Ryan	
Mr Honeywood	(<i>Pakenham</i>)	Mr Smith	
Mr Hyams	Mr Maughan	(<i>Glen Waverley</i>)	<i>Tellers</i>
Mr Jenkins	Dr Naphine	Mr Smith	Mr Finn
Mr John	Mr Paterson	(<i>Polwarth</i>)	Mr Traynor

And so it passed in the negative.

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

[Mr Speaker having left the Chair at 2.35 p.m. and resumed it at 4.42 p.m.]

- 6 **DEATH OF DAME PATTIE MAIE MENZIES, G.B.E.** - Motion made and question - That this House expresses its sincere sorrow at the death of Dame Pattie Maie Menzies, G.B.E., and places on record its acknowledgment of the outstanding service that she rendered to the people of Victoria and Australia (*Mr Kennett*) - put, after debate, and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 7 **COMPETITION POLICY REFORM (VICTORIA) BILL** - Mr Kennett obtained leave, with Mr McNamara, to bring in a Bill "*to apply certain laws of the Commonwealth relating to competition policy as laws of Victoria and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **PREVENTION OF CRUELTY TO ANIMALS (AMENDMENT) BILL** - Mr McGrath (*Wimmera*) obtained leave, with Mrs Tehan, to bring in a Bill "*to amend the 'Prevention of Cruelty to Animals Act 1986' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **BUILDING (AMENDMENT) BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "*to amend the 'Building Act 1993' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **HERITAGE BILL** - Mr Maclellan (*Pakenham*) obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "*to provide a framework for heritage protection and conservation in Victoria, to repeal the 'Historic Buildings Act 1981' and the 'Historic Shipwrecks Act 1981' and to amend the 'Archaeological and Aboriginal Relics Preservation Act 1972' and other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **LOCAL GOVERNMENT (ELECTIONS) BILL** - Mr Maclellan (*Pakenham*), after debate, obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "*to amend the 'Local Government Act 1989' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr McGrath, Wimmera*) - put and agreed to.
- 13 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 5.48 p.m., adjourned until tomorrow.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 65 - Thursday, 7 September 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Paul Charles Denyer** - Seeking that Paul Charles Denyer never be released from imprisonment during his life time, bearing 240 signatures (*by Mr McLellan, Frankston East*)
 - Paintball or Skirmish Games** - Seeking that paintball or skirmish games not be banned in Victoria, that legal paintball operators/clubs be allowed to conduct games on Sundays and that holders of a current shooter's licence continue to be allowed to own registered paintball markers, bearing 1,156 signatures (*by Mr Finn*).Severally ordered to lie on the Table.
- 3 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 3 October 1995 (*Mr McGrath, Wimmera*) - put and agreed to.
- 4 **EXTRACTIVE INDUSTRIES DEVELOPMENT BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Plowman (*Evelyn*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the proposed regulatory framework is fully known, and that all local government areas have properly elected councils that can respond to the concerns of their residents" (*Mr Hamilton*) - and, after debate -

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

Ordered - That the debate be adjourned until later this day.
- 5 **PUBLIC ADVOCATE** - Mr Speaker announced that he had, that day, administered to Alan David Green, the Public Advocate, the oath required by Schedule 3 of the *Guardianship and Administration Board Act 1986*.
- 6 **UNIVERSITY ACTS (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

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

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

Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 7 **NATIONAL SCHEME LEGISLATION** - Motion made, by leave, and question - That there be presented to this House a copy of the Scrutiny of Acts and Regulations Committee

Discussion Paper No.1 on the Scrutiny of National Scheme Legislation and the Desirability of Uniform Scrutiny Principles, August 1995 (*Mr Perton*) - put and agreed to.

8 **PAPER** - Mr Perton presented:

Scrutiny of Acts and Regulations Committee Discussion Paper No.1 on the Scrutiny of National Scheme Legislation and the Desirability of Uniform Scrutiny Principles, August 1995 - Return to the foregoing Order.

Ordered to lie on the Table.

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

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

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

11 **COMPETITION POLICY REFORM (VICTORIA) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Kennett*).

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

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

Ordered - That the debate be adjourned until Thursday, 21 September 1995.

12 **HERITAGE BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).

Mr Maclellan, Pakenham, made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.

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

Ordered, after debate - That the debate be adjourned until Thursday, 21 September 1995.

13 **LOCAL GOVERNMENT (ELECTIONS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).

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

Ordered - That the debate be adjourned until Thursday, 21 September 1995.

14 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 7, be postponed until later this day.

15 **BUILDING (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Maclellan, Pakenham*).

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

Ordered - That the debate be adjourned until Thursday, 21 September 1995.

16 **PREVENTION OF CRUELTY TO ANIMALS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McGrath, Wimmera*).

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

Ordered - That the debate be adjourned until Thursday, 21 September 1995.

- 17 **EXTRACTIVE INDUSTRIES DEVELOPMENT BILL** - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the proposed regulatory framework is fully known, and that all local government areas have properly elected councils that can respond to the concerns of their residents"; debate resumed.

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 5 September 1995 had expired.

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

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

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

- 18 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

- 19 **RETIREMENT OF JOHN GREGORY LITTLE, ESQUIRE, J.P.** - Motion made, by leave, and question - That this House places on record its appreciation of the valuable services rendered to the Parliament and to the State of Victoria by John Gregory Little, Esquire, J.P., as Clerk of the Legislative Assembly, and in the many other offices held by him during his 39 years of public service, of which 27 years were spent as an Officer of the Parliament (*Mr McNamara*) - put, after debate, and agreed to.

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

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

And the House, at 5.45 p.m., adjourned until Tuesday, 3 October 1995.

J.G. LITTLE
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 66, 67, 68 and 69

No. 66 - Tuesday, 3 October 1995

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **RETIREMENT OF THE CLERK** - Mr Speaker informed the House that he had received a letter from John Gregory Little, Clerk of the Legislative Assembly, indicating his wish to retire from the Parliamentary Service on 29 September 1995 and that, until further notice, he had directed the Deputy Clerk to perform the duties of the Clerk.
- 3 **DEATH OF THE HONOURABLE SIR WILLIAM JOHN FARQUHAR McDONALD** - Motion made and question - That this House expresses its sincere sorrow at the death of the Honourable Sir William John Farquhar McDonald, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Dundas from 1947 to 1952 and from 1955 to 1970, Speaker from 1955 to 1967 and Minister of Lands, of Soldier Settlement and for Conservation from 1967 to 1970 (*Mr Kennett*) - put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 4 **ADJOURNMENT** - Motion made and question - That, as a further mark of respect to the memory of the late Honourable Sir William John Farquhar McDonald, the House do now adjourn until 4.00 p.m. this day (*Mr Kennett*) - put and agreed to.

And the House, at 2.29 p.m. adjourned until 4.00 p.m. this day.

PHILIP J. MITHEN
Acting Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 67 - Tuesday, 3 October 1995

(4.00 P.M.)

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).

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

Free Education - Seeking that the Government hold a parliamentary inquiry into the levels of fees and their impact on schools and families and to establish clearly what constitutes free education in Victoria, bearing 37 signatures (*by Ms Garbutt*)

Public Hospital System - Seeking that the Government restore adequate funding to the public hospital system and immediately inject \$46m to address a crisis of declining standards of health care, bearing 37 signatures (*by Ms Garbutt*)

Paintball or Skirmish Games - Seeking that paintball or skirmish games not be banned in Victoria, that legal paintball operators/clubs be allowed to conduct games on Sundays and that holders of a current shooter's licence continue to be allowed to own registered paintball markers, bearing 431 signatures (*by Mr Finn*).

Severally ordered to lie on the Table.

4 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up two Reports from the Scrutiny of Acts and Regulations Committee:

Report on Subordinate Legislation concerning Statutory Rules Series 1994, together with Appendices

Report being Alert Digest No. 10 of 1995 on the -

Appropriation (Parliament 1995-96, No. 1) Bill

Appropriation (1995-96, No. 1) Bill

Local Government (Elections) Bill

Prevention of Cruelty to Animals (Amendment) Bill

Heritage Bill

Competition Policy Reform (Victoria) Bill

Building (Amendment) Bill

together with an Appendix and an Attachment.

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

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

Constitution Act Amendment Act 1958 - Statement of a function conferred on the Electoral Commissioner, 29 August 1995

Electric Light and Power Act 1958 - Report of the Chief Electrical Inspector for the year 1994

Glenelg-Wannon Water Board - Report for the year 1993-94, together with notification from the Minister for Natural Resources of the failure to submit the annual report and reasons therefor

Melbourne Water Corporation Employees' Superannuation Fund - Report for the year 1994-95

Parliamentary Committees Act 1968 - Response of the Minister for Health on action taken with respect to the recommendations made by the Community Development Committee's First Report upon the Needs of Families for Early Childhood Services in Health, Welfare and Education

Parliamentary Officers Act 1975 -

Statement of Appointments and Alterations of Classifications during the year 1994-95 in the -

Department of the Legislative Council
Department of the Legislative Assembly
Department of the Parliament Library
Department of the House Committee
Department of the Reporting Staff of the Victorian Parliamentary Debates

Statement of Persons Temporarily Employed during the year 1994-95 in the -

Department of the Legislative Council
Department of the Legislative Assembly
Department of the Parliament Library
Department of the House Committee
Department of the Reporting Staff of the Victorian Parliamentary Debates

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

All Planning Schemes - No. S51
Alberton Planning Scheme - Nos. L41, L42
Avon Planning Scheme - No. L11
Bairnsdale (Shire) Planning Scheme - No. L50
Ballarat (City) Planning Scheme - No. L60
Berwick Planning Scheme - No. L95
Boroondara Amalgamation Amendment
Bulla Planning Scheme - No. L108
Buln Buln Planning Scheme - Nos. L41, L42
Camberwell Planning Scheme - No. L46
Castlemaine Planning Scheme - No. L15
Chiltern Planning Scheme - Nos. L24, L25
Cranbourne Planning Scheme - No. L100 Part 1
Darebin City Amalgamation Amendment
Diamond Valley Planning Scheme - No. L59
Doncaster and Templestowe Planning Scheme - No. L91
Essendon Planning Scheme - No. L65
Fitzroy Planning Scheme - Nos. L36, L37
Greater Bendigo Planning Scheme - Nos. L23, L35
Greater Geelong Planning Scheme - No. R122
Hastings Planning Scheme - No. L54
Hawthorn Planning Scheme - No. L28
Heidelberg Planning Scheme - Nos. L71, L73, L75
Keilor Planning Scheme - Nos. L84, L96
Knox Planning Scheme - Nos. L77, L87
Korumburra Planning Scheme - No. L67
Kyneton Planning Scheme - No. L4
Macedon Ranges Planning Scheme - Nos. L1, L24
Maffra Planning Scheme - No. L29
Malvern Planning Scheme - No. L29
Melbourne Amalgamation Amendment
Melbourne Planning Scheme - Nos. L191, L193
Mildura City Planning Scheme - No. L49
Moirra Planning Scheme - No. L4
Moorabbin Planning Scheme - No. L55
Narracan Planning Scheme No. L43

Nunawading Planning Scheme - No. L82
 Omeo Planning Scheme - No. L13
 Pakenham Planning Scheme - Nos. L91, L98, L103
 Port of Melbourne Planning Scheme - No. L13
 Portland City Planning Scheme - No. L39
 Port Phillip Amalgamation Amendment
 Prahran Planning Scheme - No. L54
 Preston Planning Scheme - No. L62
 Ringwood Planning Scheme - No. L29
 Rodney Planning Scheme - No. L88
 Rutherglen Planning Scheme - No. L9
 South Melbourne Planning Scheme - No. RL167
 Springvale Planning Scheme - No. L93
 St. Kilda Planning Scheme - No. RL167
 Stonnington Amalgamation Amendment
 Sunshine Planning Scheme - No. L91
 Talbot and Clunes Planning Scheme - No. L16
 Traralgon (Shire) Planning Scheme - No. L50
 Upper Murray Planning Scheme - No. L9
 Upper Yarra Planning Scheme - No. L45
 Warrnambool Planning Scheme - No. L7
 Yarra Amalgamation Amendment
 Yarra Planning Scheme - No. L1

Public Prosecutions Act 1994 - Statement of reasons by the Attorney-General under section 46

Sale City Council Water and Wastewater Operations - Report for the year 1993-94, together with notification from the Minister for Natural Resources of the failure to submit the annual report and reasons therefor

Stamps Act 1958 - Report of exemptions and partial approved refunds made pursuant to section 137R for the year 1994-95

Statutory Rules under the following Acts:

Building Act 1993 - S.R. No. 121
 Country Fire Authority Act 1958 - S.R. No. 125
 County Court Act 1958 - S.R. Nos. 118, 119
 Evidence Act 1958 - S.R. No. 109
 Financial Institutions Duty Act 1982 - S.R. No. 112
 Fisheries Act 1968 - S.R. Nos. 111, 114
 Health Services Act 1988 - S.R. No. 110
 Juries Act 1967 - S.R. No. 117
 Magistrates' Court Act 1989 - S.R. No. 120
 Planning and Environment Act 1987 - S.R. No. 124
 Road Safety Act 1986 - S.R. No. 115
 Supreme Court Act 1986 - S.R. Nos. 113, 116, 117
 Tattersall Consultations Act 1958 - S.R. No. 122
 Transport Act 1983 - S.R. No. 126
 Water Act 1989 - S.R. No. 123

Subordinate Legislation Act 1994 -

Minister's exception certificates in relation to Statutory Rule Nos. 111, 114
 Ministers' exemption certificates in relation to Statutory Rule Nos. 106, 107, 110, 112, 122, 124

Trade Unions Act 1958 - Report of the Registrar for the year 1994-95

Treasury Corporation of Victoria - Report for the year 1994-95

Wangaratta City Council Water and Wastewater Functions - Report for the period ended 30 September 1994, together with notification from the Minister for Natural Resources of the failure to submit the annual report and reasons therefor.

The following proclamations fixing operative dates were laid upon the Table by the Acting Clerk pursuant to an Order of the House dated 27 October 1992:

Consumer Credit (Victoria) Act 1995 - Section 42 on 28 September 1995 (*Gazette No. G38, 28 September 1995*)

Coroners (Amendment) Act 1995 - All unproclaimed sections except sections 4 and 5 on 21 September 1995. Sections 4 and 5 on 1 October 1995 (*Gazette No. G37, 21 September 1995*)

Equal Opportunity Act 1995 - Section 224 and item 5 of Schedule 2 on 5 October 1995 (*Gazette No. G38, 28 September 1995*)

Infertility Treatment Act 1995 - Sections 5 and 199, Part 9 (Except section 137 and paragraphs (a), (b), (c), (d), (e), (f), (h), and (i) of section 122(1)) and Part 13 on 1 September 1995 (*Gazette No. G34, 31 August 1995*)

Judicial Remuneration Tribunal Act 1995 - Remaining unproclaimed provisions on 28 September 1995 (*Gazette No. G38, 28 September 1995*)

Land (Miscellaneous) Act 1995 - Section 5 on 28 September 1995 (*Gazette No. G38, 28 September 1995*)

National Environment Protection Council (Victoria) Act 1995 - Remaining provisions on 15 September 1995 (*Gazette No. G36, 14 September 1995*).

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

Building (Amendment) Bill
 Competition Policy Reform (Victoria) Bill
 Heritage Bill
 Prevention of Cruelty to Animals (Amendment) Bill.

- 7 **PUBLIC BODIES REVIEW COMMITTEE - MEMBERSHIP** - Motion made, by leave, and question - That Mr Dollis be discharged from attendance on the Public Bodies Review Committee (*Mr Gude*) - put and agreed to.

- 8 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 5 October 1995:

Prevention of Cruelty to Animals (Amendment) Bill
 Building (Amendment) Bill

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

- 9 **APPROPRIATION (1995-96, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

- 10 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.46 p.m.

PHILIP J. MITHEN
Acting Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 68 - Wednesday, 4 October 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Acting Clerk announced that the following petitions had been lodged for presentation:
- Sale of Public Utilities** - Seeking that the Government immediately put in place - (a) a moratorium on the sale of the SECV, Melbourne Water, and the Gas & Fuel; (b) an independent public inquiry into the alleged benefits and disadvantages of selling off these utilities; and (c) a referendum for all Victorian citizens, bearing 1,734 signatures (*by Mr Jenkins*)
- Paintball or Skirmish Games** - Seeking that paintball or skirmish games not be banned in Victoria, that legal paintball operators/clubs be allowed to conduct games on Sundays and that holders of a current shooter's licence continue to be allowed to own registered paintball markers, bearing 165 signatures (*by Mr Finn*).
- Severally ordered to lie on the Table.
- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Acting Clerk:
- Building Control Commission - Report for the year 1994-95
- Victorian Plantations Corporation - Report for the year 1994-95.
- 4 **NIGHTRIDER BUS SERVICE** - Motion made and question proposed - That this House congratulates the Government for its introduction of the Nightrider bus service (*Mr Finn*) - and, after debate -
- General Business having been interrupted at 2.00 p.m.
pursuant to Sessional Orders.*
- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 6 **MENTAL HEALTH (AMENDMENT) BILL** - Mrs Tehan obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Mental Health Act 1986' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 **RACING (AMENDMENT) BILL** - Mr Reynolds obtained leave, with Mr Kennett, to bring in a Bill "to amend the 'Racing Act 1958' to make further provision for the regulation of the greyhound racing industry and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

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- 8 **VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL** - Mr Hayward obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Vocational Education and Training Act 1990' to enable certain powers and functions of the State Training Board in relation to apprenticeships and traineeships to be carried out by persons or bodies approved by the Governor in Council and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **GOVERNMENT EMPLOYEE HOUSING AUTHORITY (REPEAL) BILL** - Mr Stockdale obtained leave, with Mr Hayward, to bring in a Bill "*to repeal the 'Government Employee Housing Authority Act 1981' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **PORT SERVICES BILL** - Mr Stockdale obtained leave, with Mr Hayward, to bring in a Bill "*to make further provision relating to ports, to amend the 'Port of Melbourne Authority Act 1958', the 'Port of Geelong Authority Act 1958', the 'Port of Portland Authority Act 1958', the 'Marine Act 1988' and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **DANGEROUS GOODS (AMENDMENT) BILL** - Mr Pescott obtained leave, with Mr Hayward, to bring in a Bill "*to amend the 'Dangerous Goods Act 1985' and the 'Occupational Health and Safety Act 1985' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **ELECTRICITY INDUSTRY (FURTHER AMENDMENT) BILL** - Mr Plowman (*Evelyn*) obtained leave, with Mr Stockdale, to bring in a Bill "*to make further amendments to the 'Electricity Industry Act 1993' and the 'State Electricity Commission Act 1958', to amend certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **WATER (FURTHER AMENDMENT) BILL** - Mr Coleman obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Water Act 1989' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **ROAD TRANSPORT (DANGEROUS GOODS) BILL** - Mr Brown obtained leave, with Mr Hayward, to bring in a Bill "*to make provision for safety in the transport of dangerous goods by road as part of the system of nationally consistent road transport laws and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **APPROPRIATION (1995-96, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
 Motion made and question - That the debate be now adjourned (*Mr McGrath, Wimmera*) - put and agreed to.
 Ordered - That the debate be adjourned until later this day.
- 16 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 17 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
 Drugs, Poisons and Controlled Substances (Amendment) Bill
 University Acts (Further Amendment) Bill
 Extractive Industries Development Bill.

- 18 **PREVENTION OF CRUELTY TO ANIMALS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

- 19 **BUILDING (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

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

- 20 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.35 p.m.

PHILIP J. MITHEN
Acting Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 69 - Thursday, 5 October 1995

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

South Eastern Arterial Expansion - Seeking that the plans to expand the South Eastern Arterial include adequate provisions for the protection of residential amenity and character by - (a) reducing noise levels to internationally accepted standards; and (b) effectively camouflaging any structure at ground or above-ground level, bearing 1,033 signatures (*by Mr Doyle*).

Ordered to lie on the Table.

- 3 **PETITION - SOUTH EASTERN ARTERIAL EXPANSION** - Motion made and question - That the petition presented by the Member for Malvern relating to the plans to expand the South Eastern Arterial be taken into consideration tomorrow (*Mr Batchelor*) - put and agreed to.
- 4 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Acting Clerk:
- Historic Buildings Council - Report for the year 1994-95
Police Review Commission - Report for the year 1994-95.

-
- 5 **RACING (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).
- Motion made and question - That the debate be now adjourned (*Mrs Wilson*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 19 October 1995.
- 6 **VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Hayward*).
- Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 19 October 1995.
- 7 **GOVERNMENT EMPLOYEE HOUSING AUTHORITY (REPEAL) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Leighton*) - put and agreed to.
- Ordered, after debate - That the debate be adjourned until Thursday, 19 October 1995.
- 8 **DANGEROUS GOODS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Pescott*).
- Motion made and question - That the debate be now adjourned (*Mr Micallef*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 19 October 1995.
- 9 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.
- 10 **ROAD TRANSPORT (DANGEROUS GOODS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Brown*).
- Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 19 October 1995.
- 11 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 7 and 8, be postponed until later this day.
- 12 **APPROPRIATION (1995-96, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 2.00 p.m.
pursuant to Sessional Orders.*
- 13 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 14 **APPROPRIATION (1995-96, No. 1) BILL** - Debate continued on question - That this Bill be now read a second time.
- Motion made and question - That the debate be now adjourned (*Dr Coghill*) - put and agreed to.
- Ordered - That the debate be adjourned until later this day.

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- 15 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 10, be postponed until later this day.
- 16 **PORT SERVICES BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Loney*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 19 October 1995.
- 17 **MENTAL HEALTH (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).
- Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
- Ordered, after debate - That the debate be adjourned until Thursday, 19 October 1995.
- 18 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 19 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 5.05 p.m., adjourned until Tuesday, 10 October 1995.

PHILIP J. MITHEN
Acting Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos. 70, 71 and 72

No. 70 - Tuesday, 10 October 1995

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

Scallop Dredging in Port Phillip Bay - Seeking that the House take steps to ensure that scallop dredging in Port Phillip Bay is not permitted, bearing 128 signatures (*by Mrs Wilson*).

Ordered to lie on the Table.
- 4 **COMMUNITY DEVELOPMENT COMMITTEE** - Mr Leigh, Chairman, brought up a Report from the Community Development Committee on its Review of Legislation under which Persons are Detained at the Governor's Pleasure in Victoria together with Appendices, a Minority Report, Extracts from the Proceedings of the Committee and Minutes of Evidence.
Ordered to lie on the Table and the Report, Appendices, Minority Report and Extracts from the Proceedings to be printed.
- 5 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 11 of 1995 on the -

Road Transport (Dangerous Goods) Bill
Government Employee Housing Authority (Repeal) Bill
Dangerous Goods (Amendment) Bill
Vocational Education and Training (Amendment) Bill

together with an Appendix.
Ordered to lie on the Table and to be printed.
- 6 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Acting Clerk:

Architects Registration Board - Report for the year 1994-95
Building Act 1993 - Building Code of Australia 1990 - Amendment No. 8
Crown Land (Reserves) Act 1978 - Orders pursuant to sections 17D and 17DA giving approval to the granting of leases (two papers)
Financial Management Act 1994 - Budget Paper No. 3 1995-96
Land Conservation Council - Report for the year 1994-95

Members of Parliament (Register of Interests) Act 1978 - Summary of Returns June 1995 and Summary of Variations notified between 1 June and 30 September 1995 - Ordered to be printed

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

- Benalla City Planning Scheme - No. L32
- Benalla Shire Planning Scheme - No. L15
- Cranbourne Planning Scheme - Nos. L121, L124
- Diamond Valley Planning Scheme - No. L56
- Flinders Planning Scheme - No. L111
- Hastings Planning Scheme - No. L84 Part 1
- Lillydale Planning Scheme - No. L120
- Melbourne Planning Scheme - No. L160
- Moe Planning Scheme - No. L33
- Mornington Planning Scheme - No. L59
- Morwell Planning Scheme - No. L47
- Ringwood Planning Scheme - No. L46
- Yarra Planning Scheme - No. L2

Rural Finance Corporation - Report for the year 1994-95

Statutory Rules under the following Acts:

- Legal Profession Practice Act 1958 - S.R. No. 127
- Road Safety Act 1986 - S.R. No. 128
- Supreme Court Act 1986 - S.R. No. 129

Subordinate Legislation Act 1994 - Minister's exemption certificate in relation to Amendment 8 of the Building Code of Australia 1990

Victorian Arts - Report of the Council for the year 1994-95

Victorian Funds Management Corporation - Report for the period ended 30 June 1995

Young Farmers' Finance Council - Report for the year 1994-95

The following proclamation fixing an operative date was laid upon the Table by the Acting Clerk pursuant to an Order of the House dated 27 October 1992:

Melbourne and Olympic Parks (Amendment) Act 1995 - Remaining provisions (except for sections 24, 25, 26, 27 and 28) on 5 October 1995 (*Gazette No. G39, 5 October 1995*).

- 7 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 12 October 1995:

- Appropriation (1995-96, No. 1) Bill
- Appropriation (Parliament 1995-96, No. 1) Bill
- Competition Policy Reform (Victoria) Bill
- Local Government (Elections) Bill

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

- 8 **APPROPRIATION (1995-96, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

Ordered - That the debate be adjourned until tomorrow.

- 9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
Public Transport Competition Bill
Road Transport Charges (Victoria) Bill.
- 10 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 2 and 3, be postponed until later this day.
- 11 **ELECTRICITY INDUSTRY (FURTHER AMENDMENT) BILL (No. 2)** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
Ordered, after debate - That the debate be adjourned until Tuesday, 24 October 1995.
- 12 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Maclellan, Pakenham*) - put and agreed to.
- 13 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 10.31 p.m., adjourned until tomorrow.

PHILIP J. MITHEN
Acting Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 71 - Wednesday, 11 October 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Acting Clerk announced that the following petitions had been lodged for presentation:
Geelong and District Hospital - Seeking that the House calls upon the Minister of Health to restore funding to the Geelong and District Hospital and ensure no further cuts are made which would reduce the level of nursing and support staff, bearing 456 signatures (*by Mr Spry*)
Obstetricians and Gynaecologists in Country Areas - Seeking that the Government investigate support which can be given to country areas in order to obtain the services of specialist obstetricians and gynaecologists, bearing 643 signatures (*by Mr Kilgour*).
Severally ordered to lie on the Table.
- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Acting Clerk:
Auditor-General - Special Report No. 36 - The Changing Profile of State Education:
School Reorganisations - Ordered to be printed
Melbourne Water Corporation - Report for the year 1994-95

Murray-Darling Basin Commission - Report for the year 1994-95

Police Regulation Act 1958 - Report of the Deputy Ombudsman (Police Complaints) on the investigation of the Police withdrawal on 2 May 1994 of charges laid against David Fox and Kenneth Richards, September 1995 - Ordered to be printed

Victorian Institute of Marine Sciences - Report for the year 1994.

- 4 **GRIEVANCES** - Question - That grievances be noted - put, after debate, and agreed to.
- 5 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 6 **DOMESTIC BUILDING CONTRACTS AND TRIBUNAL BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to regulate domestic building contracts and to establish a Domestic Building Disputes Tribunal and to amend the 'House Contracts Guarantee Act 1987' and the 'Building Act 1993' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 7 **TRUSTEE AND TRUSTEE COMPANIES (AMENDMENT) BILL** - Mrs Wade obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Trustee Act 1958' and the 'Trustee Companies Act 1984' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 8 **FISHERIES BILL (No. 2)** - Mr Coleman obtained leave, with Mr Gude, to bring in a Bill "*to reform the law relating to Victorian fisheries, to repeal the 'Fisheries Act 1968' and to make consequential amendments to certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **LAND REVOCATIONS (AND OTHER MATTERS) BILL** - Mr Coleman obtained leave, with Mr Gude, to bring in a Bill "*to revoke certain reservations over land and Crown grants in relation to certain land, to re-reserve certain areas of land, to amend the 'Kew and Heidelberg Lands Act 1933' and the 'Ballarat (Sovereign Hill) Land Act 1970', to repeal the 'Ballarat (Sovereign Hill) Land Act 1973' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **ZOOLOGICAL PARKS AND GARDENS BILL** - Mr Coleman obtained leave, with Mr Gude, to bring in a Bill "*to establish the Zoological Parks and Gardens Board and define its functions, to provide for the management and administration of zoological parks and gardens, to repeal the 'Zoological Parks and Gardens Act 1967', to amend the 'Borrowing and Investment Powers Act 1987' and the 'Conservation, Forests and Lands Act 1987', to make consequential amendments to other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 11 **GAS INDUSTRY (EXTENSION OF SUPPLY) BILL** - Mr Coleman obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Gas Industry Act 1994' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

- 13 **APPROPRIATION (1995-96, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
Motion made and question - That the debate be now adjourned (*Mrs Peulich*) - put and agreed to.
Ordered - That the debate be adjourned until later this day.
- 14 **LOCAL GOVERNMENT (ELECTIONS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to provide for the immediate return of democratically elected councils in each of Victoria's seventy-eight municipalities." (*Mr Leighton*).
Motion made and question - That the debate be now adjourned (*Mr Cooper*) - put and agreed to.
Ordered - That the debate be adjourned until tomorrow.
- 15 **COMPETITION POLICY REFORM (VICTORIA) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed;
*Business having been interrupted at 10.00 p.m.
pursuant to Sessional Orders.*
Motion made and question - That the sitting be continued (*Mr Gude*) - put and agreed to.
Debate continued on question - That this Bill be now read a second time.
And the House having continued to sit till after 12 midnight -
THURSDAY, 12 OCTOBER 1995
Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and, by leave, read a third time forthwith with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 16 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 17 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 3.02 a.m., adjourned until later this day.

PHILIP J. MITHEN
Acting Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 72 - Thursday, 12 October 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Acting Clerk:
 - Adult, Community and Further Education Board - Report for the year 1994-95
 - Auditor-General - Special Report No. 37 - Promoting Industry Development: Assistance by Government - Ordered to be printed
 - Australian Grand Prix Corporation - Report for the period ended 30 June 1995
 - Board of Studies - Report for the year 1994-95
 - Education Department - Report for the year 1994-95
 - Gas and Fuel - Report for the year 1994-95
 - Gas Transmission Corporation - Report for the year 1994-95
 - Geelong Performing Arts Centre Trust - Report for the year 1994-95
 - Infertility (Medical Procedures) Act 1984 - Report pursuant to section 29 (12)(a) on an approved experimental procedure
 - Libraries Board of Victoria - Report of the year 1994-95
 - Public Authorities (Equal Employment Opportunity) Act 1990 - Report describing the implementation and evaluation of Equal Employment Opportunity Programs in Public Authorities for the year 1993-94
 - Public Record Office - Report of the Keeper of the Public Records for the year 1994-95
 - Small Business Victoria - Report for the year 1994-95
 - State Training Board - Report for the year 1994-95
 - Subordinate Legislation Act 1994 - Minister's exemption certificate in relation to Statutory Rule No. 125.
- 3 **PUBLIC BODIES REVIEW COMMITTEE - MEMBERSHIP** - Motion made, by leave, and question - That Mr Sandon be discharged from attendance on the Public Bodies Review Committee and that Mr Bracks and Mr Seitz be appointed instead of Mr Sandon and Mr Dollis (*Mr Gude*) - put and agreed to.
- 4 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 24 October 1995 (*Mr Gude*) - put and agreed to.
- 5 **ORDER OF THE DAY DISCHARGED** - Motion made, by leave, and question - That the following Order of the Day, Government Business, be read and discharged:
 - Fisheries Bill - Resumption of debate on the question - That this Bill be now read a second time - and on the amendment - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until there has been adequate consultation with the various interest groups involved with the fishing industry."*
 and that the Bill be withdrawn (*Mr Coleman*) - put and agreed to.

- 6 **STATE TAXATION (FURTHER AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Business Franchise (Tobacco) Act 1974', the 'Financial Institutions Duty Act 1982', the 'Gift Duty Act 1971', the 'Land Tax Act 1958', the 'Pay-roll Tax Act 1971', the 'Probate Duty Act 1962', the 'Stamps Act 1958' and certain other Acts and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time, by leave, later this day.
- 7 **APPROPRIATION (PARLIAMENT 1995-96, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
 Motion made and question - That the debate be now adjourned (*Mr Tanner*) - put and agreed to.
 Ordered - That the debate be adjourned until later this day.
- 8 **LOCAL GOVERNMENT (ELECTIONS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to provide for the immediate return of democratically elected councils in each of Victoria's seventy-eight municipalities"; debate resumed.
 Question - That the words proposed to be omitted stand part of the question - put.
 The House divided.

AYES, 53

Mr Ashley	Mr John	Dr Napthine	Mr Tanner
Mr Bildstien	Mr Kilgour	Mr Paterson	Mrs Tehan
Mr Brown	Mr Leigh	Mr Perrin	Mr Thompson
Mr Clark	Mr Lupton	Mr Perton	(<i>Sandringham</i>)
Mr Coleman	Mr McArthur	Mr Pescott	Mr Traynor
Mr Cooper	Mrs McGill	Mrs Peulich	Mr Treasure
Mr Davis	Mr McGrath	Mr Phillips	Mr Turner
Dr Dean	(<i>Warrnambool</i>)	Mr Plowman	Mrs Wade
Mr Doyle	Mr McGrath	(<i>Benambra</i>)	Mr Weideman
Mrs Elliott	(<i>Wimmera</i>)	Mr Reynolds	Mr Wells
Mr Gude	Mr McLellan	Mr Richardson	
Mr Hayward	(<i>Frankston East</i>)	Mr Ryan	
Mr Honeywood	Mr McNamara	Mr Smith	<i>Tellers</i>
Mr Hyams	Mr Maclellan	(<i>Glen Waverley</i>)	Mr Finn
Mr Jasper	(<i>Pakenham</i>)	Mr Spry	Mr Rowe
Mr Jenkins	Mr Maughan	Mr Steggall	

NOES, 22

Mr Baker	Mr Haermeyer	Mr Sandon	
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Thomson	
Mr Brumby	Mr Loney	(<i>Pascoe Vale</i>)	
Dr Coghill	Ms Marple	Mr Thwaites	<i>Tellers</i>
Mr Cunningham	Mr Micallef	Dr Vaughan	Mr Carli
Mr Dollis	Mr Mildenhall	Mrs Wilson	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

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

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

- 9 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 10 **APPROPRIATION (1995-96, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
Motion made and question - That the debate be now adjourned (*Mr Steggall*) - put and agreed to.
Ordered - That the debate be adjourned until later this day.
- 11 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.
- 12 **TRUSTEE AND TRUSTEE COMPANIES (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).
Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 26 October 1995.
- 13 **FISHERIES BILL (No. 2)** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
Mr Coleman made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.
Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 26 October 1995.
- 14 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 7, be postponed until later this day.
- 15 **ZOOLOGICAL PARKS AND GARDENS BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 26 October 1995.
- 16 **GAS INDUSTRY (EXTENSION OF SUPPLY) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 26 October 1995.

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- 17 **WATER (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
- Motion made and question - That the debate be now adjourned (*Ms Marple*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 26 October 1995.
- 18 **STATE TAXATION (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
- Motion made and question - That the debate be now adjourned (*Mr Batchelor*) - put and agreed to.
- Ordered - That the debate be adjourned until Thursday, 26 October 1995.
- Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 10 October 1995 had expired.*
- 19 **APPROPRIATION (PARLIAMENT 1995-96, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Question - That this Bill be now read a second and third time and be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.
- 20 **APPROPRIATION (1995-96, No. 1) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Question - That this Bill be now read a second time and a third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.
- 21 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 22 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 4.27 p.m., adjourned until Tuesday, 24 October 1995.

PHILIP J. MITHEN
Acting Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

[In substitution of Votes and Proceedings Nos. 73, 74 and 75 previously circulated]

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos. 73, 74 and 75

No. 73 - Tuesday, 24 October 1995

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **APPOINTMENT OF THE CLERK** - Mr Speaker informed the House that the Governor in Council had been pleased to appoint Philip John Mithen, as Clerk of the Legislative Assembly following the retirement of John Gregory Little, J.P.
- 3 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 4 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Tullamarine Freeway Toll** - Seeking that all proposals for the inequitable and regressive Tullamarine Freeway toll be abandoned, bearing 275 signatures (*by Mr Thomson, Pascoe Vale*)
 - Crown Casino Trading Hours** - Seeking that the Government take action to ensure that Crown Casino does not open on Christmas Day, Good Friday and Anzac Day (before 1.00 p.m.), bearing 195 signatures (*by Dr Naphine*).Severally ordered to lie on the Table.
- 5 **PETITION - CROWN CASINO TRADING HOURS** - Motion made and question - That the petition presented by the Member for Portland relating to the Crown Casino trading hours be taken into consideration tomorrow (*Mr Brumby*) - put and agreed to.
- 6 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 12 of 1995 on the -
 - Racing (Amendment) Bill
 - Mental Health (Amendment) Bill
 - Port Services Bill
 - Electricity Industry (Further Amendment) Bill (No. 2)
 - Gas Industry (Extension of Supply) Bill
 - Zoological Parks and Gardens Bill
 - Water (Further Amendment) Bill
 - State Taxation (Further Amendment) Bill
 - Trustee and Trustee Companies (Amendment) Bill
 - Fisheries Bill (No. 2)together with an Appendix.
Ordered to lie on the Table and to be printed.
- 7 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

-
- Adult Parole Board - Report for the year 1994-95
- Audit Act 1994 - Report on the Performance Audit of the Auditor-General, for the three years ended 30 June 1995 - Ordered to be printed
- Campaspe Region Water Authority - Report for the period ended 31 October 1994
- Colac Region Water Authority - Report for the year 1994-95
- Constitution Act Amendment Act 1958 - Statement of function conferred on the Electoral Commissioner, 3 October 1995
- Construction Industry Long Service Leave Board - Report for the year 1994-95
- Crimes Compensation Tribunal - Report for the year 1994-95
- Country Fire Authority - Report for the year 1994-95
- Docklands Authority - Report for the year 1994-95
- Electricity Services Victoria - Report for the year 1994-95
- Emerald Tourist Railway Board - Report for the year 1994-95
- Environment Protection Authority - Report for the year 1994-95
- Equal Opportunity Board - Report for the year 1994-95
- Equal Opportunity Commission - Report for the year 1994-95
- Film Victoria - Report for the year 1994-95
- Financial Operations Statement for the year 1994-95 together with the Report of the Auditor-General - Ordered to be printed
- First Mildura Irrigation Trust - Report for the year 1994-95
- Gippsland Water - Report for the period ended 30 June 1995
- Greyhound Racing Control Board - Report for the year 1994-95
- Guardianship and Administration Board - Report for the year 1994-95
- Intellectual Disability Review Panel - Report for the year 1994-95
- Legal Aid Commission - Report for the year 1994-95
- Liquor Licensing Commission - Report for the year 1994-95
- Loy Yang Power Ltd - Report for the year 1994-95
- Marine Board of Victoria - Report for the year 1994-95
- Maryborough City Council Water and Wastewater Functions - Report for the period ended 30 November 1994
- Melbourne City Link Authority - Report for the period ended 30 June 1995
- Melbourne Parks and Waterways - Report for the year 1994-95 (two papers)
- Metropolitan Fire Brigades Board - Report for the year 1994-95
- Museum of Victoria Council - Report for the year 1994-95
- Museums Advisory Board - Report for the year 1994-95
- National Gallery of Victoria - Report for the year 1994-95
- National Parks Advisory Council - Report for the year 1994-95
- National Parks Service - Report for the year 1994-95

Parliamentary Committees Act 1968 - Response of the Minister for Housing on action taken with respect to the recommendations made by the Economic Development Committee's Fifth and Sixth Reports into the Victorian Building and Construction Industry

Patriotic Funds Council - Report for the year 1994

Planning and Development Department - Report for the year 1994-95

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

Altona Planning Scheme - No. L105

Cranbourne Planning Scheme - No. L143

Darebin Planning Scheme - No. L10

Frankston Planning Scheme - No. L73

Macedon Ranges Planning Scheme - No. L3

Melbourne Planning Scheme - No. L197

Melbourne Metropolitan Planning Schemes - No. R127

Mitchell Planning Scheme - No. L13

Port Phillip Planning Scheme - No. L2

Sherbrooke Planning Scheme - No. L97

Stonnington Planning Scheme - No. L8

Swan Hill Shire Planning Scheme - No. L20

Waverley Planning Scheme - Nos. L48, L57

Plumbers, Gasfitters and Drainers Registration Board - Report for the year 1994-95

Port of Geelong Authority - Report for the year 1994-95

Port of Melbourne Authority - Report for the year 1994-95 (two papers)

Port of Portland Authority - Report for the year 1994-95

Powernet Victoria - Report for the year 1994-95

Public Advocate - Report for the year 1994-95 - Ordered to be printed

Public Transport Corporation - Report for the year 1994-95

Recycling and Resource Recovery Council - Report for the year 1994-95

Regulator-General - Report for the year 1994-95

Roads Corporation - Report for the year 1994-95

Royal Botanic Gardens Board - Report for the year 1994-95

Southern Hydro Limited - Report for the period ended 30 June 1995

State Film Centre of Victoria Council - Report for the year 1994-95

State Insurance Office - Report for the year 1994-95

State Library of Victoria Council - Report for the year 1994-95

State Trustees Limited - Report for the year 1994-95

Statutory Rules under the following Acts:

Corrections Act 1986 - S.R. No. 131

Tobacco Act 1987 - S.R. No. 130

Subordinate Legislation Act 1994 - Ministers' exemption certificates in relation to Statutory Rule Nos. 130, 131

Tourism Victoria - Report for the year 1994-95

Urban Land Authority - Report for the year 1994-95

Victorian Arts Centre Trust - Report for the year 1994-95
 Victorian Broiler Industry Negotiation Committee - Report for the year 1994-95
 Victorian Conservation Trust - Report for the year 1994-95
 Victorian Debt Retirement Fund - Report for the year 1994-95
 Victorian Financial Institutions Commission - Report for the year 1994-95
 Victorian Government Purchasing Board - Report for the period ended 30 June 1995
 Victorian Institute of Forensic Pathology - Report for the year 1994-95
 Victorian Institute of Marine Sciences - Report for the period ended 30 June 1995
 Victorian Power Exchange - Report for the period ended 30 June 1995
 West Moorabool Water Board - Report for the period ended 31 March 1995
 Zoological Board of Victoria - Report for the year 1994-95

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 27 October 1992:

Corporations (Victoria) (Amendment) Act 1995 - Part 2 on 16 October 1995 (*Gazette No. G40, 12 October 1995*). Part 3 on 17 October 1995 (*Gazette No. G41, 19 October 1995*)

Trade Measurement (Administration) Act 1995 - Sections 5, 6 and 9 on 17 October 1995 (*Gazette No. G41, 19 October 1995*).

- 8 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILLS** - Informing the Assembly that he had, on 17 October 1995, given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:

Drugs, Poisons and Controlled Substances (Amendment) Bill
 Extractive Industries Development Bill
 Public Transport Competition Bill
 Road Transport Charges (Victoria) Bill
 University Acts (Further Amendment) Bill.

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

Electricity Industry (Further Amendment) Bill (No. 2)
 Fisheries Bill (No. 2)
 Government Employee Housing Authority (Repeal) Bill
 Mental Health (Amendment) Bill
 Port Services Bill
 Racing (Amendment) Bill
 State Taxation (Further Amendment) Bill
 Zoological Parks and Gardens Bill.

- 10 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 26 October 1995:

Racing (Amendment) Bill
 Government Employee Housing Authority (Repeal) Bill
 Dangerous Goods (Amendment) Bill
 Road Transport (Dangerous Goods) Bill
 Port Services Bill

Mental Health (Amendment) Bill
Electricity Industry (Further Amendment) Bill (No. 2)
Trustee and Trustee Companies (Amendment) Bill

(Mr Gude) - after debate, put.

The House divided.

AYES, 52

Mr Ashley	Mr John	Mr Perton	Mrs Tehan
Mr Bildstien	Mr Kilgour	Mr Pescott	Mr Thompson
Mr Clark	Mr Leigh	Mrs Peulich	(Sandringham)
Mr Coleman	Mr Lupton	Mr Phillips	Mr Traynor
Mr Cooper	Mr McArthur	Mr Plowman	Mr Treasure
Dr Dean	Mrs McGill	(Benambra)	Mr Turner
Mr Doyle	Mr McGrath	Mr Plowman	Mrs Wade
Mrs Elliott	(Warrnambool)	(Evelyn)	Mr Weideman
Mr Finn	Mr McGrath	Mr Reynolds	Mr Wells
Mr Gude	(Wimmera)	Mr Richardson	
Mr Hayward	Mr Maclellan	Mr Ryan	
Mr Heffernan	(Pakenham)	Mr Smith	
Mr Honeywood	Mr Maughan	(Glen Waverley)	Tellers
Mr Hyams	Dr Napthine	Mr Spry	Mr McLellan
Mr Jasper	Mr Paterson	Mr Steggall	(Frankston East)
Mr Jenkins	Mr Perrin	Mr Tanner	Mr Rowe

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Dr Vaughan
Mr Baker	Ms Garbutt	Mr Sandon	Mrs Wilson
Mr Batchelor	Mr Haermeyer	Mr Seitz	
Mr Bracks	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Leighton	Mr Sheehan	
Dr Coghill	Mr Loney	Mr Thomson	Tellers
Mr Cole	Ms Marple	(Pascoe Vale)	Mr Carli
Mr Cunningham	Mr Micallef	Mr Thwaites	Mr Pandazopoulos

And so it was resolved in the affirmative.

- 11 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 12 **DOMESTIC BUILDING CONTRACTS AND TRIBUNAL BILL** - Motion made and question proposed - That this Bill be now read a second time (Mrs Wade).
Mrs Wade made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.
Motion made and question - That the debate be now adjourned (Mr Mildenhall) - put and agreed to.
Ordered - That the debate be adjourned until Tuesday, 7 November 1995.
- 13 **RACING (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.

14 GOVERNMENT EMPLOYEE HOUSING AUTHORITY (REPEAL) BILL - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government provides details as to what action has been taken to reduce public housing waiting lists as a result of the transfer, sale or disposal of Government Employee Housing Authority properties" (*Mr Leighton*) - and, after debate -

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

The House divided.

AYES, 53

Mr Ashley	Mr Leigh	Mr Pescott	Mrs Tehan
Mr Bildstien	Mr Lupton	Mrs Peulich	Mr Thompson
Mr Clark	Mr McArthur	Mr Phillips	(<i>Sandringham</i>)
Mr Coleman	Mrs McGill	Mr Plowman	Mr Traynor
Mr Cooper	Mr McGrath	(<i>Benambra</i>)	Mr Treasure
Mr Davis	(<i>Warrnambool</i>)	Mr Plowman	Mr Turner
Mr Doyle	Mr McGrath	(<i>Evelyn</i>)	Mrs Wade
Mr Elder	(<i>Wimmera</i>)	Mr Reynolds	Mr Wells
Mrs Elliott	Mr McLellan	Mr Richardson	
Mr Gude	(<i>Frankston East</i>)	Mr Rowe	
Mr Hayward	Mr Maclellan	Mr Ryan	
Mr Hyams	(<i>Pakenham</i>)	Mr Smith	
Mr Jasper	Mr Maughan	(<i>Glen Waverley</i>)	
Mr Jenkins	Dr Napthine	Mr Spry	
Mr John	Mr Paterson	Mr Steggall	<i>Tellers</i>
Mr Kennett	Mr Perrin	Mr Stockdale	Dr Dean
Mr Kilgour	Mr Perton	Mr Tanner	Mr Finn

NOES, 22

Mr Andrianopoulos	Mr Hamilton	Mr Sandon	
Mr Batchelor	Mr Leighton	Mr Seitz	
Mr Bracks	Mr Loney	Mr Thomson	
Dr Coghill	Ms Marple	(<i>Pascoe Vale</i>)	
Mr Cole	Mr Micallef	Mr Thwaites	<i>Tellers</i>
Mr Dollis	Mr Mildenhall	Dr Vaughan	Mr Carli
Ms Garbutt	Mr Pandazopoulos	Mrs Wilson	Mr Cunningham

And so it was resolved in the affirmative.

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

The House divided.

AYES, 53

Mr Ashley	Mr John	Mr Paterson	Mr Spry
Mr Bildstien	Mr Kennett	Mr Perrin	Mr Steggall
Mr Clark	Mr Kilgour	Mr Perton	Mr Stockdale
Mr Coleman	Mr Leigh	Mr Pescott	Mr Tanner
Mr Cooper	Mr McArthur	Mrs Peulich	Mrs Tehan
Mr Davis	Mrs McGill	Mr Phillips	Mr Thompson
Dr Dean	Mr McGrath	Mr Plowman	(Sandringham)
Mr Doyle	(Warrnambool)	(Benambra)	Mr Traynor
Mr Elder	Mr McGrath	Mr Plowman	Mr Treasure
Mrs Elliott	(Wimmera)	(Evelyn)	Mr Turner
Mr Finn	Mr McLellan	Mr Reynolds	Mrs Wade
Mr Gude	(Frankston East)	Mr Richardson	
Mr Hayward	Mr Maclellan	Mr Rowe	Tellers
Mr Hyams	(Pakenham)	Mr Ryan	Mr Lupton
Mr Jasper	Mr Maughan	Mr Smith	Mr Wells
Mr Jenkins	Dr Napthine	(Glen Waverley)	

NOES, 23

Mr Batchelor	Mr Haermeyer	Mr Pandazopoulos	Mrs Wilson
Mr Bracks	Mr Hamilton	Mr Sandon	
Dr Coghill	Mr Leighton	Mr Seitz	
Mr Cole	Mr Loney	Mr Thomson	
Mr Cunningham	Ms Marple	(Pascoe Vale)	Tellers
Mr Dollis	Mr Micallef	Mr Thwaites	Mr Andrianopoulos
Ms Garbutt	Mr Mildenhall	Dr Vaughan	Mr Carli

And so it was resolved in the affirmative.

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

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

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

16 **ROAD TRANSPORT (DANGEROUS GOODS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

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

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

- 18 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.04 p.m.

PHILIP J. MITHEN
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 74 - Wednesday, 25 October 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
Paintball or Skirmish Games - Seeking that paintball or skirmish games not be banned in Victoria, that legal paintball operators/clubs be allowed to conduct games on Sundays and that holders of a current shooter's licence continue to be allowed to own registered paintball markers, bearing 302 signatures (*by Mr Finn*).
- Ordered to lie on the Table.
- 3 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Weideman, Chairman, brought up a Report from the Public Accounts and Estimates Committee upon the State's Budget and Financial Management Framework, together with Appendices and Minutes of Evidence.
- Ordered to lie on the Table and the Report and Appendices to be printed.
- 4 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 Ethnic Affairs Commission - Report for the year 1994-95
 Transport Accident Commission - Report for the year 1994-95
 Victorian Prison Industries Commission - Report for the year 1994-95
 Victorian WorkCover Authority - Report for the year 1994-95.
- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Building (Amendment) Bill without amendment.
- 6 **ADJOURNMENT MOTION - MELBOURNE CASINO HOURS OF OPERATION** - Mr Brumby proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -
 "The failure of the Government to act to prohibit the Melbourne Casino from operating on Christmas Day, Good Friday and Anzac Day thereby ensuring that the Melbourne Casino respects the religious, historical and cultural significance of Christmas Day, Good Friday and Anzac Day".
- Mr Speaker having ascertained that twelve members approved of the proposed discussion - Motion made and question - That the House do now adjourn (*Mr Brumby*) - after debate, put.

The House divided.

AYES, 26

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Sandon	
Mr Batchelor	Mr Haermeyer	Mr Seitz	
Mr Bracks	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Leighton	Mr Thomson	
Dr Coghill	Mr Loney	(Pascoe Vale)	Tellers
Mr Cole	Ms Marple	Mr Thwaites	Mr Carli
Mr Cunningham	Mr Micallef	Dr Vaughan	Mr Pandazopoulos

NOES, 51

Mr Ashley	Mr Kilgour	Mr Pescott	Mr Steggall
Mr Bildstien	Mr Leigh	Mrs Peulich	Mr Stockdale
Mr Clark	Mr Lupton	Mr Phillips	Mr Tanner
Mr Coleman	Mrs McGill	Mr Plowman	Mrs Tehan
Mr Cooper	Mr McGrath	(Benambra)	Mr Thompson
Mr Davis	(Wimmera)	Mr Plowman	(Sandringham)
Dr Dean	Mr McLellan	(Evelyn)	Mrs Wade
Mrs Elliott	(Frankston East)	Mr Reynolds	Mr Weideman
Mr Finn	Mr McNamara	Mr Richardson	Mr Wells
Mr Gude	Mr Maciellan	Mr Rowe	
Mr Hayward	(Pakenham)	Mr Ryan	
Mr Heffernan	Mr Maughan	Mr Smith	
Mr Honeywood	Dr Naphthine	(Glen Waverley)	
Mr Hyams	Mr Paterson	Mr Smith	Tellers
Mr Jasper	Mr Perrin	(Polwarth)	Mr Doyle
Mr John	Mr Perton	Mr Spry	Mr McArthur

And so it passed in the negative.

- 7 **HIGHER PETROL PRICES IN COUNTRY VICTORIA** - Motion made and question proposed - That this House condemns Members of the National Party and Members of the Liberal Party representing country electorates for failing to take steps to ensure that country Victorians are not disadvantaged by higher petrol prices compared to metropolitan residents (*Mr Hamilton*).

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

- 8 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 9 **THE CONSTITUTION ACT AMENDMENT (AMENDMENT) BILL** - Mr Kennett, after debate, obtained leave with Mr McNamara, to bring in a Bill "to amend 'The Constitution Act Amendment Act 1958' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **AUSTRALIAN GRAND PRIX (FURTHER AMENDMENT) BILL** - Mr McNamara obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Australian Grand Prix Act 1994' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 11 **MISCELLANEOUS ACTS (OMNIBUS AMENDMENTS) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Borrowing and Investment Powers Act 1987', the 'Business Names Act 1962', the 'Civil Aviation (Carriers' Liability) Act 1961', the 'Corporations (Victoria) Act 1990', the 'Evidence Act 1958', the 'Extractive Industries (Lysterfield) Act 1986', the 'Financial Management Act 1994', the 'Historic Buildings Act 1981', the 'Interpretation of Legislation Act 1984', the 'Juries Act 1967', the 'Marine Act 1988', the 'Melbourne Exhibition Centre Act 1994', the 'Museums Act 1983', the 'Public Holidays Act 1993', the 'Road Safety Act 1986', the 'Shop Trading Act 1987', the 'Sport and Recreation Act 1972' and the 'Transport Act 1983' and certain other Acts, to repeal the 'Exhibition Act 1957', the 'Livery and Agistment Act 1958' and the 'Management and Budget Act 1983' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **MELBOURNE CITY LINK BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to ratify the Agreement for the Melbourne City Link Project, to make further provision for the Melbourne City Link Project, and to amend the 'Melbourne City Link Authority Act 1994' and certain other Acts and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 13 **CASINO (MANAGEMENT AGREEMENT) (FURTHER AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to ratify a second Deed of Variation to the Management Agreement for the Melbourne Casino Project, to amend the 'Casino (Management Agreement) Act 1993' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **SUPERANNUATION ACTS (MISCELLANEOUS AMENDMENTS) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Emergency Services Superannuation Act 1986', the 'Hospitals Superannuation Act 1988', the 'Local Authorities Superannuation Act 1988', the 'Public Sector Superannuation (Administration) Act 1993', the 'State Employees Retirement Benefits Act 1979', the 'State Superannuation Act 1988', the 'Superannuation Acts (Further Amendment) Act 1994', the 'Superannuation Acts (General Amendment) Act 1995', the 'Superannuation (Public Sector) Act 1992' and the 'Transport Superannuation Act 1988' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 15 **VALUATION OF LAND (FURTHER AMENDMENT) BILL** - Mr Stockdale obtained leave, with Mr Gude, to bring in a Bill "*to amend the 'Valuation of Land Act 1960' to make further provision for determining the estimated annual value of land and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 16 **MISCELLANEOUS ACTS (HEALTH AND JUSTICE) AMENDMENT BILL** - Mrs Tehan, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the 'Dentists Act 1972', the 'Health Services Act 1988', the 'Magistrates' Court Act 1989' and the 'Prostitution Control Act 1994' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 17 **LEGAL PROFESSION PRACTICE (AMENDMENT) BILL** - Mrs Wade, after debate, obtained leave with Mr Gude, to bring in a Bill "*to amend the 'Legal Profession Practice Act 1958' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

- 18 **CARLTON (RECREATION GROUND) LAND (AMENDMENT) BILL** - Mr Coleman obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Carlton (Recreation Ground) Land Act 1966' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 19 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL** - Mr Heffernan obtained leave, with Mr Coleman, to bring in a Bill "to make further amendments to the 'Liquor Control Act 1987' and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 20 **DANGEROUS GOODS (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
- Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 21 **LAND REVOCATIONS (AND OTHER MATTERS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Pescott*).
- Motion made and question - That the debate be now adjourned (*Mr Hamilton*) - put and agreed to.
- Ordered - That the debate be adjourned until Wednesday, 8 November 1995.
- 22 **PORT SERVICES BILL** - Order read for resuming debate on question - That this Bill be now read a second time.
- Pursuant to Sessional Orders, Mr Stockdale announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
- Debate resumed on question - That this Bill be now read a second time - put.
- The House divided.

AYES, 48

Mr Ashley	Mr Kilgour	Mr Phillips	Mr Thompson
Mr Bildstien	Mr Leigh	Mr Plowman	(<i>Sandringham</i>)
Mr Clark	Mr Lupton	(<i>Benambra</i>)	Mr Traynor
Mr Cooper	Mr McGrath	Mr Plowman	Mr Treasure
Mr Davis	(<i>Warrnambool</i>)	(<i>Evelyn</i>)	Mr Turner
Dr Dean	Mr McLellan	Mr Richardson	Mrs Wade
Mr Doyle	(<i>Frankston East</i>)	Mr Rowe	Mr Weideman
Mr Elder	Mr Maclellan	Mr Ryan	Mr Wells
Mr Finn	(<i>Pakenham</i>)	Mr Smith	
Mr Honeywood	Mr Maughan	(<i>Glen Waverley</i>)	
Mr Hyams	Dr Napthine	Mr Spry	
Mr Jasper	Mr Paterson	Mr Steggall	
Mr Jenkins	Mr Perrin	Mr Stockdale	<i>Tellers</i>
Mr John	Mr Pescott	Mr Tanner	Mrs Elliott
Mr Kennett	Mrs Peulich	Mrs Tehan	Mrs McGill

NOES, 24

Mr Andrianopoulos	Mr Dollis	Mr Micallef	Mr Thwaites
Mr Batchelor	Ms Garbutt	Mr Mildenhall	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mr Sandon	
Mr Brumby	Mr Hamilton	Mr Seitz	
Dr Coghill	Mr Leighton	Mr Sercombe	<i>Tellers</i>
Mr Cole	Mr Loney	Mr Thomson	Mr Carli
Mr Cunningham	Ms Marple	<i>(Pascoe Vale)</i>	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

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

- 23 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to Prevention of Cruelty to Animals (Amendment) Bill with amendments.

Ordered - That the said amendments be printed and taken into consideration, by leave, later this day.

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

Appropriation (1995-96, No. 1) Bill

Appropriation (Parliament 1995-96, No. 1) Bill.

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

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

- 26 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.47 p.m.

PHILIP J. MITHEN
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 75 - Thursday, 26 October 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
Paintball or Skirmish Games - Seeking that paintball or skirmish games not be banned in Victoria, that legal paintball operators/clubs be allowed to conduct games on Sundays and that holders of a current shooter's licence continue to be allowed to own registered paintball markers, bearing 387 signatures (*by Mr Finn*).
Ordered to lie on the Table.
- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Aluminium Smelters of Victoria Pty Ltd - Report for the year 1994-95
Casino (Management Agreement) Act 1993 - Authorized additions to Drawings of the Melbourne Casino Complex pursuant to section 16 (2) (twenty-eight papers)
Melbourne Exhibition Centre Trust - Report of the Minister for Industry and Employment that he has received the Report of the Trust for the period ended 30 June 1995.
- 4 **ELECTRICITY INDUSTRY (FURTHER AMENDMENT) BILL (No. 2)** - Order read for resuming debate on question - That this Bill be now read a second time.
Pursuant to Sessional Orders, Mr Plowman (*Evelyn*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.
Debate resumed on question - That this Bill be now read a second time.
Motion made and question - That the debate be now adjourned (*Mr Tanner*) - put and agreed to.
Ordered - That the debate be adjourned until later this day.
- 5 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 2 to 13 inclusive, be postponed until later this day.
*Business having been interrupted at 2.00 p.m.
pursuant to Sessional Orders.*
- 6 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 7 **TRUSTEE AND TRUSTEE COMPANIES (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 8 **THE CONSTITUTION ACT AMENDMENT (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Kennett*).
Motion made and question - That the debate be now adjourned (*Mr Brumby*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 9 November 1995.

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- 9 **AUSTRALIAN GRAND PRIX (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr McNamara*).
Motion made and question - That the debate be now adjourned (*Mr Mildenhall*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 9 November 1995.
- 10 **MISCELLANEOUS ACTS (OMNIBUS AMENDMENTS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
Ordered, after debate - That the debate be adjourned until Thursday, 9 November 1995.
- 11 **CASINO (MANAGEMENT AGREEMENT) (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 9 November 1995.
- 12 **SUPERANNUATION ACTS (MISCELLANEOUS AMENDMENTS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Stockdale*).
Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 9 November 1995.
- 13 **MISCELLANEOUS ACTS (HEALTH AND JUSTICE) AMENDMENT BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Tehan*).
Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 24 October 1995 had expired.
- 14 **ELECTRICITY INDUSTRY (FURTHER AMENDMENT) BILL (No. 2)** - Order read for resuming debate on question - That this Bill be now read a second time.
Question - That this Bill be now read a second time, Government amendments Nos. 1 to 5 inclusive be agreed to, the Bill be read a third time and that the Bill be transmitted to the Legislative Council and their concurrence desired therein - put.

The House divided.

AYES, 56

Mr Ashley	Mr Jenkins	Mr Perton	Mr Tanner
Mr Bildstien	Mr John	Mr Pescott	Mrs Tehan
Mr Brown	Mr Kennett	Mrs Peulich	Mr Thompson
Mr Clark	Mr Leigh	Mr Phillips	(Sandringham)
Mr Coleman	Mr Lupton	Mr Plowman	Mr Traynor
Mr Cooper	Mr McArthur	(Benambra)	Mr Treasure
Mr Davis	Mrs McGill	Mr Plowman	Mr Turner
Dr Dean	Mr McGrath	(Evelyn)	Mrs Wade
Mr Doyle	(Warrambool)	Mr Reynolds	Mr Weideman
Mr Elder	Mr McLellan	Mr Richardson	Mr Wells
Mrs Elliott	(Frankston East)	Mr Rowe	
Mr Finn	Mr McNamara	Mr Ryan	
Mr Gude	Mr Maclellan	Mr Smith	
Mr Hayward	(Pakenham)	(Glen Waverley)	
Mr Honeywood	Mr Maughan	Mr Spry	Tellers
Mr Hyams	Dr Napthine	Mr Steggall	Mr Kilgour
Mr Jasper	Mr Perrin	Mr Stockdale	Mr Paterson

NOES, 25

Mr Andrianopoulos	Mr Cunningham	Mr Micallef	Mr Thwaites
Mr Baker	Mr Dollis	Mr Mildenhall	Dr Vaughan
Mr Batchelor	Ms Garbutt	Mr Sandon	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mr Seitz	
Mr Brumby	Mr Hamilton	Mr Sercombe	Tellers
Dr Coghill	Mr Leighton	Mr Thomson	Mr Carli
Mr Cole	Mr Loney	(Pascoe Vale)	Mr Pandazopoulos

And so it was resolved in the affirmative.

- 15 **MENTAL HEALTH (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

- 16 **MISCELLANEOUS ACTS (HEALTH AND JUSTICE) AMENDMENT BILL** - Debate continued on question - That this Bill be now read a second time.

Mrs Tehan made the statement of intention required by section 85(5)(c) of the Constitution Act 1975.

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

Ordered - That the debate be adjourned until Thursday, 9 November 1995.

- 17 **LEGAL PROFESSION PRACTICE (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).

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

Ordered - That the debate be adjourned until Thursday, 9 November 1995.

- 18 **CARLTON (RECREATION GROUND) LAND (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).
Motion made and question - That the debate be now adjourned (*Mr Dollis*) - put and agreed to.
Ordered - That the debate be adjourned until Thursday, 9 November 1995.
- 19 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Gude*) - put and agreed to.
- 20 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 5.26 p.m., adjourned until Tuesday, 31 October 1995.

PHILIP J. MITHEN
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos. 76, 77, 78 and 79

No. 76 - Tuesday, 31 October 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **DEATH OF MORRIS THOMAS WILLIAMS, ESQUIRE** - Motion made and question - That this House expresses its sincere sorrow at the death of Morris Thomas Williams, Esquire, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral Districts of Box Hill from 1973 to 1976 and Doncaster from 1976 to 1988. (*Mr Kennett*) - put, after Mr Speaker and other Honourable Members had addressed the House in support of the motion and, Honourable Members rising in their places to signify their assent, agreed to unanimously.
- 3 **ADJOURNMENT** - Motion made and question - That, as a further mark of respect to the memory of the late Morris Thomas Williams, Esquire, the House do now adjourn until 4.00 p.m. this day (*Mr Kennett*) - put and agreed to.

And the House, at 3.05 p.m. adjourned until 4.00 p.m. this day.

PHILIP J. MITHEN

Clerk of the Legislative Assembly

JOHN E. DELZOPPO

Speaker

No. 77 - Tuesday, 31 October 1995

(4.00 P.M.)

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Zone 1 Fare Boundary** - Seeking that Zone 1 Fare Boundary be extended to the west end of Aircraft Station to assist disadvantaged residents, both financially and physically, bearing 86 signatures (*by Ms Marple*)
 - Gambling Facility Extension** - Seeking that the House will not permit extension of gambling facilities at the Crown Casino, bearing 33 signatures (*by Mr Tanner*)

Paintball or Skirmish Games - Seeking that paintball or skirmish games not be banned in Victoria, that legal paintball operators/clubs be allowed to conduct games on Sundays and that holders of a current shooter's licence continue to be allowed to own registered paintball markers, bearing 117 signatures (*by Mr Finn*).

Severally ordered to lie on the Table.

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

- Alexandra District Hospital - Report for the year 1994-95 (two papers)
- Alfred Healthcare Group - Report for the year 1994-95
- Altona District Hospital - Report for the year 1994-95
- Angliss Hospital - Report for the year 1994-95
- Anne Caudle Centre - Report for the year 1994-95
- Bairnsdale Regional Health Service - Report for the year 1994-95
- Benalla and District Memorial Hospital - Report for the year 1994-95
- Bendigo Hospital - Report for the year 1994-95
- Bethlehem Hospital Incorporated - Report for the year 1994-95
- Birregurra and District Community Hospital - Report for the year 1994-95
- Boort District Hospital - Report for the year 1994-95
- Box Hill Hospital - Report for the year 1994-95
- Bright District Hospital and Health Services - Report for the year 1994-95
- Bundoora Extended Care Centre - Report for the year 1994-95 (two papers)
- Burwood and District Community Hospital - Report for the year 1994-95
- Caritas Christi Hospice Limited - Report for the year 1994-95
- Casterton Memorial Hospital - Report for the year 1994-95
- Citipower Ltd - Report for the year 1994-95
- Clunes District Hospital - Report for the year 1994-95
- Coal Corporation of Victoria - Report for the year 1994-95
- Cobram District Hospital - Report for the year 1994-95
- Cohuna District Hospital and Cohuna Community Nursing Home - Report for the year 1994-95
- Colac District Hospital - Report for the year 1994-95
- Coleraine District Hospital and Aged Care Services - Report for the year 1994-95
- Donald District Hospital and District Nursing Home - Report for the year 1994-95
- Eastern Energy - Report for the year 1994-95
- Echuca Regional Health - Report for the year 1994-95
- Energy Brix Australia Corporation - Report for the year 1994-95
- Energy Victoria - Report for the year 1994-95
- Fairfield Hospital - Report for the year 1994-95
- GFE Resources Ltd - Report for the year 1994-95
- Goulburn Valley Base Hospital - Report for the year 1994-95 (two papers)

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- Grace McKellar Centre - Report for the year 1994-95
- Hampton Rehabilitation Hospital - Report for the year 1994-95
- Hazelwood Power Corporation - Report for the year 1994-95
- Healesville and District Hospital - Report for the year 1994-95
- Heywood and District Memorial Hospital, Sydney and Lynne Quayle Hostels for the Aged and Fitzroy Lodge Hostel - Report for the year 1994-95
- Inglewood Hospital - Report for the year 1994-95
- Interpretation of Legislation Act 1984 - Notice under section 32(4) (a) in relation to Amendment No. 8 of the Building Code of Australia
- Kerang and District Hospital - Report for the year 1994-95
- Kilmore and District Hospital and Kilmore and District Nursing Home - Report for the year 1994-95
- Kingston Centre - Report for the year 1994-95
- Koroit and District Memorial Hospital - Report for the year 1994-95
- Kyabram and District Memorial Community Hospital - Report for the year 1994-95
- Kyneton District Health Service - Report for the year 1994-95
- Latrobe Regional Hospital - Report for the year 1994-95
- Lorne Community Hospital and Nursing Home - Report for the year 1994-95
- Maffra District Hospital and Maffra and District Extended Care Association - Report for the year 1994-95 (two papers)
- Maldon Hospital and Community Care - Report for the year 1994-95
- Manangatang and District Hospital - Report for the year 1994-95
- Mansfield District Hospital and Bentley Nursing Home - Report for the year 1994-95
- Maroondah Hospital - Report for the year 1994-95
- Maryborough District Health Service - Report for the year 1994-95
- McIvor Health and Community Services - Report for the year 1994-95
- Melbourne Market Authority - Report for the year 1994-95
- Mercy Public Hospitals Incorporated - Report for the year 1994-95 (two papers)
- Mildura Base Hospital - Report for the year 1994-95
- Monash Medical Centre - Report for the year 1994-95
- Mordialloc-Cheltenham Community Hospital - Report for the year 1994-95
- Mount Eliza Centre - Report for the year 1994-95
- Mt Alexander Hospital - Report for the year 1994-95
- Murray Valley Wine Grape Industry Negotiating Committee - Report for the year 1994-95
- Nathalia District Hospital and Nursing Home - Report for the year 1994-95 (three papers)
- North West Hospital - Report for the year 1994-95
- Numurkah and District War Memorial Hospital - Report for the year 1994-95
- O'Connell Family Centre (Grey Sisters) Incorporated - Report for the year 1994-95

- Omeo District Hospital - Report for the year 1994-95
- Ouyen and District Hospital - Report for the year 1994-95
- Peter James Centre - Report for the year 1994-95
- Pharmacy Board - Report for the year 1994-95
- Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
- Flinders Planning Scheme - No. L120, L124
 - Greater Geelong Planning Scheme - No. L147
 - Healesville Planning Scheme - Nos. L51, L57
 - Lillydale Planning Scheme - No. L140
 - Macedon Ranges Planning Scheme - No. L5
 - Melbourne Planning Scheme - No. L200
 - Mitchell Planning Scheme - No. L15
 - Stonnington Planning Scheme - Nos. L1, L2
 - Upper Yarra Valley and Dandenong Ranges Strategy Plan - No. 58
 - Warrnambool City Planning Scheme - No. L9
 - Whittlesea Planning Scheme - No. L123
- Port Fairy Hospital - Report for the year 1994-95
- Portland and District Hospital - Report for the year 1994-95 (two papers)
- Powercor Australia Ltd - Report for the year 1994-95
- Queen Elizabeth Centre - Report for the year 1994-95
- Rochester and Elmore District Health Service and Rochester and District Nursing Home (Inc.) - Report for the year 1994-95
- Royal Dental Hospital of Melbourne - Report for the year 1994-95
- Royal Melbourne Hospital - Report for the year 1994-95 (two papers)
- Royal Victorian Eye and Ear Hospital - Report for the year 1994-95 (two papers)
- Royal Women's Hospital - Report for the year 1994-95
- Sandringham and District Memorial Hospital - Report for the year 1994-95 (three papers)
- Solaris Power - Report for the period ended 30 June 1995
- South Gippsland Hospital - Report for the year 1994-95
- St Arnaud District Hospital - Report for the year 1994-95
- State Electricity Commission - Report for the year 1994-95
- Statutory Rules under the following Acts:
- Criminal Injuries Compensation Act 1983 - S.R. No. 132
 - Transport Accident Act 1986 - S.R. No. 133
- Subordinate Legislation Act 1994 - Minister's exemption certificate in relation to Statutory Rule No. 133
- Swan Hill District Hospital - Report for the year 1994-95
- Tallangatta Hospital - Report for the year 1994-95
- Terang and District Mortlake Health Service - Report for the period ended 30 June 1995
- Timboon and District Hospital and Timboon and District Community Health Centre - Report for the year 1994-95
- Tricontinental Holdings Limited - Report for the year 1994

- Tweddle Child and Family Health Service - Report for the year 1994-95 (two papers)
- Upper Murray Health and Community Services - Report for the year 1994-95
- Vicfleet Pty Ltd - Report for the year 1994-95
- Victorian Electricity Industry Superannuation Fund - Financial Statements for the year 1994-95
- Victorian Relief Committee - Report for the year 1994-95
- Wangaratta District Base Hospital - Report for the year 1994-95 (two papers)
- Waranga Memorial Hospital and Waranga Nursing Home Society Incorporated - Report for the year 1994-95 (three papers)
- Warmambool and District Base Hospital - Report for the year 1994-95
- West Gippsland Hospital - Report for the year 1994-95
- Western Hospital - Report for the year 1994-95
- Williamstown Hospital - Report for the year 1994-95 (two papers)
- Wodonga District Hospital - Report for the year 1994-95 (two papers)
- Wycheproof and District Health Service - Report for the year 1994-95
- Yallourn Energy - Report for the year 1994-95
- Yea and District Memorial Hospital - Report for the year 1994-95.

The following proclamation fixing an operative date was laid upon the Table by the Clerk pursuant to an Order of the House dated 27 October 1992:

Superannuation Acts (General Amendment) Act 1995 - Sections 33(4), 33(5), 33(6) and 33(7) on 1 November 1995 (*Gazette No. S106, 24 October 1995*).

- 5 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR - ASSENT TO BILL** - Informing the Assembly that he had, that day, given the Royal Assent to the Building (Amendment) Bill, presented to him by the Clerk of the Parliaments.
- 6 **APPROPRIATION (1995-96, No. 1) BILL - APPROPRIATION (PARLIAMENT 1995-96, No. 1) BILL** - Mr Speaker announced that he had, that day, presented to His Excellency the Governor the Appropriation (1995-96, No. 1) Bill and the Appropriation (Parliament 1995-96, No. 1) Bill to which His Excellency had been pleased to give the Royal Assent.
- 7 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 2 November 1995:
 - Prevention of Cruelty to Animals (Amendment) Bill
 - Vocational Education and Training (Amendment) Bill
 - Fisheries Bill (No. 2)
 - Zoological Parks and Gardens Bill
 - Gas Industry (Extension of Supply) Bill
 - Water (Further Amendment) Bill
 - State Taxation (Further Amendment) Bill.

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

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- 8 **MARCUS OLDHAM COLLEGE BILL** - Mr Hayward obtained leave, with Mr Gude, to bring in a Bill "*to provide for the transfer of certain trust property to Marcus Oldham College A.C.N. 071 444 409, to cancel the trust created by the will of Marcus William Oldham, deceased, and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 9 **PROFESSIONAL BOXING AND MARTIAL ARTS BILL** - Mr Reynolds obtained leave, with Mr Gude, to bring in a Bill "*to amend and rename the 'Professional Boxing Control Act 1985' and to repeal the 'Martial Arts Control Act 1986' and for other purposes*"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 11 **VALUATION OF LAND (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).
Motion made and question - That the debate be now adjourned (*Mr Bracks*) - put and agreed to.
Ordered - That the debate be adjourned until Tuesday, 14 November 1995.
- 12 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.
- 13 **PREVENTION OF CRUELTY TO ANIMALS (AMENDMENT) BILL** - Order read for the consideration of the amendments made by the Legislative Council.
And the said amendments were read a second time and agreed to by the House.
Ordered - That a Message be sent to the Legislative Council acquainting them that the Legislative Assembly have agreed to the said amendments.
- 14 **VOCATIONAL EDUCATION AND TRAINING (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
Question - put.

The House divided.

AYES, 53

Mr Ashley	Mr John	Mr Perrin	Mr Stockdale
Mr Bildstien	Mr Kilgour	Mr Perton	Mr Tanner
Mr Brown	Mr Leigh	Mr Pescott	Mr Thompson
Mr Coleman	Mr Lupton	Mrs Peulich	(Sandringham)
Mr Cooper	Mr McArthur	Mr Plowman	Mr Traynor
Mr Davis	Mrs McGill	(Benambra)	Mr Treasure
Dr Dean	Mr McGrath	Mr Plowman	Mr Turner
Mr Doyle	(Warrnambool)	(Evelyn)	Mrs Wade
Mr Elder	Mr McGrath	Mr Richardson	Mr Weideman
Mrs Elliott	(Wimmera)	Mr Rowe	
Mr Finn	Mr McLellan	Mr Ryan	
Mr Gude	(Frankston East)	Mr Smith	
Mr Hayward	Mr Maclellan	(Glen Waverley)	
Mr Honeywood	(Pakenham)	Mr Smith	
Mr Hyams	Mr Maughan	(Polwarth)	Tellers
Mr Jasper	Dr Napthine	Mr Spry	Mr Phillips
Mr Jenkins	Mr Paterson	Mr Steggall	Mr Wells

NOES, 21

Mr Andrianopoulos	Ms Garbutt	Mr Pandazopoulos	Mr Thwaites
Mr Baker	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Batchelor	Mr Leighton	Mr Seitz	
Mr Bracks	Mr Loney	Mr Sercombe	Tellers
Mr Brunby	Ms Marple	Mr Thomson	Mr Carli
Mr Cole	Mr Mildenhall	(Pascoe Vale)	Mr Cunningham

And so it was resolved in the affirmative.

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

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

- 15 **FISHERIES BILL (No. 2)** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

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

- 16 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.45 p.m.

PHILIP J. MITHEN
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 78 - Wednesday, 1 November 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PARLIAMENTARY DEPARTMENTS' REPORTS** - Motion made, by leave, and question - That there be presented to this House a copy of the Reports of the Department of the Legislative Assembly, Department of the Parliament Library, Department of the Reporting Staff of the Victorian Parliamentary Debates and Department of the House Committee, for the year 1994-95 (*Mr McGrath, Warrnambool*) - put and agreed to.
- 3 **PAPERS** - Mr McGrath (*Warrnambool*) presented:

Reports of the Department of the Legislative Assembly, Department of the Parliament Library, Department of the Reporting Staff of the Victorian Parliamentary Debates and Department of the House Committee, for the year 1994-95 - Return to the foregoing Order.

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

City West Water Limited - Report for the period ended 30 June 1995

South East Water Limited - Report for the period ended 30 June 1995

Vistel Limited - Report for the year 1994-95

Yarra Valley Water Limited - Report for the period ended 30 June 1995

Yarra Bend Park Trust - Report for the year 1994-95.
- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Competition Policy Reform (Victoria) Bill with an amendment.

Ordered - That the said amendment be printed and taken into consideration tomorrow.
- 6 **ADJOURNMENT MOTION - PROCEDURES FOR DEALING WITH CHARGES AGAINST POLICE AND PROTECTION FOR INFORMANTS** - Mr Haermeyer proposed the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely -

"The inadequacy of the Government's procedure for dealing with disciplinary and criminal charges against police and the inadequacy of protection for informants and whistle blowers as a result of the recent dismissal on 25 October 1995 of charges relating to breach of bail conditions against Mr Antonio Rossi, an informant and key witness in disciplinary and corruption investigations against former Daylesford Police Sergeant, David Beardsley."

Mr Speaker having ascertained that twelve members approved of the proposed discussion - Motion made and question - That the House do now adjourn (*Mr Haermeyer*) - after debate, put.

The House divided.

AYES, 25

Mr Baker	Ms Garbutt	Mr Pandazopoulos	Mr Thwaites
Mr Batchelor	Mr Haermeyer	Mr Sandon	Dr Vaughan
Mr Bracks	Mr Hamilton	Mr Seitz	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Sercombe	
Mr Carli	Mr Loney	Mr Sheehan	<i>Tellers</i>
Mr Cole	Ms Marple	Mr Thomson	Mr Andrianopoulos
Mr Dollis	Mr Mildenhall	(<i>Pascoe Vale</i>)	Mr Cunningham

NOES, 46

Mr Bildstien	Mr Jenkins	Mr Perton	Mrs Tehan
Mr Coleman	Mr John	Mr Pescott	Mr Thompson
Mr Cooper	Mr Kilgour	Mr Phillips	(<i>Sandringham</i>)
Mr Davis	Mr Leigh	Mr Plowman	Mr Traynor
Dr Dean	Mr Lupton	(<i>Evelyn</i>)	Mr Treasure
Mr Doyle	Mrs McGill	Mr Richardson	Mr Turner
Mr Elder	Mr McGrath	Mr Rowe	Mrs Wade
Mrs Elliott	(<i>Wimmera</i>)	Mr Ryan	Mr Wells
Mr Finn	Mr Maclellan	Mr Smith	
Mr Gude	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	
Mr Hayward	Mr Maughan	Mr Smith	
Mr Honeywood	Dr Napthine	(<i>Polwarth</i>)	<i>Tellers</i>
Mr Hyams	Mr Paterson	Mr Steggall	Mr McArthur
Mr Jasper	Mr Perrin	Mr Tanner	Mr Spry

And so it passed in the negative.

- 7 **BUSINESS CONFIDENCE** - Motion made and question proposed - That this House congratulates the Victorian Government on its stimulation of business confidence in Victoria so as to expand business investment and employment opportunities in Victoria (*Mr Perrin*) -

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

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

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

- 10 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Heffernan*).

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

Ordered - That the debate be adjourned until Wednesday, 15 November 1995.

- 11 **POSTPONEMENT OF ORDER OF THE DAY** - Ordered - That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 12 **PROFESSIONAL BOXING AND MARTIAL ARTS BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Reynolds*).
Motion made and question - That the debate be now adjourned (*Mrs Wilson*) - put and agreed to.
Ordered - That the debate be adjourned until Wednesday, 15 November 1995.
- 13 **MARCUS OLDHAM COLLEGE BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Hayward*) - and, after debate -
Motion made and question - That the debate be now adjourned (*Mr Kilgour*) - put and agreed to.
Ordered - That the debate be adjourned until later this day.
- 14 **ZOOLOGICAL PARKS AND GARDENS BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.
Ordered - That the Bill be transmitted to the Legislative Council and their concurrence desired therein.
- 15 **GAS INDUSTRY (EXTENSION OF SUPPLY) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.
Question - put.
The House divided.

AYES, 50

Mr Ashley
Mr Bildstien
Mr Brown
Mr Coleman
Mr Cooper
Mr Davis
Dr Dean
Mr Doyle
Mr Elder
Mrs Elliott
Mr Hayward
Mr Heffernan
Mr Hyams
Mr Jasper
Mr Jenkins

Mr John
Mr Kennett
Mr Kilgour
Mr Leigh
Mr Lupton
Mr McArthur
Mrs McGill
Mr McGrath
(*Warrnambool*)
Mr McLellan
(*Frankston East*)
Mr Maclellan
(*Pakenham*)
Mr Maughan
Dr Napthine

Mr Paterson
Mr Perrin
Mr Pescott
Mrs Peulich
Mr Phillips
Mr Plowman
(*Benambra*)
Mr Plowman
(*Evelyn*)
Mr Richardson
Mr Rowe
Mr Ryan
Mr Smith
(*Polwarth*)
Mr Steggall

Mr Stockdale
Mr Tanner
Mrs Tehan
Mr Thompson
(*Sandringham*)
Mr Traynor
Mr Treasure
Mr Turner
Mr Weideman
Mr Wells

Tellers
Mr Finn
Mr Spry

NOES, 22

Mr Andrianopoulos	Mr Haermeyer	Mr Seitz	
Mr Baker	Mr Hamilton	Mr Sercombe	
Mr Batchelor	Mr Loney	Mr Thomson	
Dr Coghill	Ms Marple	(Pascoe Vale)	
Mr Cole	Mr Micallef	Mr Thwaites	Tellers
Mr Dollis	Mr Pandazopoulos	Dr Vaughan	Mr Carli
Ms Garbutt	Mr Sandon	Mrs Wilson	Mr Cunningham

And so it was resolved in the affirmative.

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

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

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

Government Employee Housing Authority (Repeal) Bill
Local Government (Elections) Bill.

- 17 **WATER (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

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

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

And the House, at 10.48 p.m., adjourned until tomorrow.

PHILIP J. MITHEN
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 79 - Thursday, 2 November 1995

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

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

Ti-Tree Crescent, Seaford - Seeking that the recreational area of land located at Ti-Tree Crescent, Seaford be preserved as a parkland and flora and fauna reserve for current and future generations, bearing 390 signatures (*by Mr McLellan, Frankston East*)

Moira Shire Budget - Seeking that the House take all necessary steps to ensure that the introduction of a \$100 municipal charge per assessment; the raising of a \$1.5 million

loan; and the introduction of a \$80 refuse charge on rateable and non-rateable land in the Moira Shire Budget 1995/96 is revoked, bearing 1,276 signatures (by Mr Jasper).

Severally ordered to lie on the Table.

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

Dandenong Hospital - Report for the year 1994-95

Geelong Hospital - Report for the year 1994-95

Hamilton Base Hospital - Report for the year 1994-95 (two papers)

Hesse Rural Health Service - Report for the year 1994-95 (two papers)

Otway Health and Community Services - Report for the year 1994-95 (two papers)

Penshurst and District Memorial Hospital - Report for the year 1994-95 (two papers)

Physiotherapists Registration Board - Report for the year 1994-95

Queen Elizabeth Centre, Ballarat - Report for the year 1994-95 (two papers)

Westernport Memorial Hospital - Report for the year 1994-95 (two papers)

Wonthaggi and District Hospital - Report for the year 1994-95

Yarram and District Health Service - Report for the year 1994-95.

- 4 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until Tuesday, 14 November 1995 (*Mr Gude*) - put and agreed to.

- 5 **PUBLIC SECTOR MANAGEMENT AND PARLIAMENTARY OFFICERS (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).

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

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

Ordered - That the debate be adjourned until Thursday, 16 November 1995.

- 6 **COMPETITION POLICY REFORM (VICTORIA) BILL** - Order read for the consideration of the amendment made by the Legislative Council.

And the said amendment was read a second time and agreed to by the House with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

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

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

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

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

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

Amendment proposed - That the words "two weeks" be omitted with the view of inserting in place thereof the words "three months" (*Mr Brumby*) - and, after debate -

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

The House divided.

AYES, 46

Mr Ashley	Mr Jasper	Mr Pescott	Mrs Tehan
Mr Bildstien	Mr Jenkins	Mrs Peulich	Mr Thompson
Mr Brown	Mr John	Mr Plowman	(<i>Sandringham</i>)
Mr Clark	Mr Leigh	(<i>Benambra</i>)	Mr Traynor
Mr Cooper	Mr Lupton	Mr Plowman	Mr Treasure
Mr Davis	Mr McArthur	(<i>Evelyn</i>)	Mr Wells
Dr Dean	Mrs McGill	Mr Reynolds	
Mr Doyle	Mr McLellan	Mr Rowe	
Mrs Elliott	(<i>Frankston East</i>)	Mr Ryan	
Mr Finn	Mr McNamara	Mr Smith	
Mr Gude	Mr Maclellan	(<i>Glen Waverley</i>)	
Mr Hayward	(<i>Pakenham</i>)	Mr Smith	
Mr Heffernan	Dr Napthine	(<i>Polwarth</i>)	<i>Tellers</i>
Mr Honeywood	Mr Paterson	Mr Steggall	Mr Spry
Mr Hyams	Mr Perrin	Mr Tanner	Mr Turner

NOES, 24

Mr Andrianopoulos	Mr Cunningham	Mr Mildenhall	Dr Vaughan
Mr Baker	Mr Dollis	Mr Sandon	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Seitz	
Mr Bracks	Mr Haermeyer	Mr Sercombe	
Mr Brumby	Mr Hamilton	Mr Thomson	<i>Tellers</i>
Dr Coghill	Mr Loney	(<i>Pascoe Vale</i>)	Mr Carli
Mr Cole	Mr Micallef	Mr Thwaites	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

The House divided.

AYES, 46

Mr Ashley	Mr Hyams	Mr Perrin	Mr Tanner
Mr Bildstien	Mr Jasper	Mr Pescott	Mrs Tehan
Mr Brown	Mr Jenkins	Mrs Peulich	Mr Thompson
Mr Clark	Mr John	Mr Plowman	(Sandringham)
Mr Cooper	Mr Leigh	(Evelyn)	Mr Traynor
Mr Davis	Mr McArthur	Mr Reynolds	Mr Treasure
Dr Dean	Mrs McGill	Mr Rowe	Mr Turner
Mr Doyle	Mr McLellan	Mr Ryan	Mr Wells
Mrs Elliott	(Frankston East)	Mr Smith	
Mr Finn	Mr McNamara	(Glen Waverley)	
Mr Gude	Mr Maclellan	Mr Smith	Tellers
Mr Hayward	(Pakenham)	(Polwarth)	Mr Lupton
Mr Heffernan	Dr Napthine	Mr Spry	Mr Plowman
Mr Honeywood	Mr Paterson	Mr Steggall	(Benambra)

NOES, 24

Mr Baker	Mr Dollis	Mr Pandazopoulos	Dr Vaughan
Mr Batchelor	Ms Garbutt	Mr Sandon	Mrs Wilson
Mr Bracks	Mr Haermeyer	Mr Seitz	
Mr Brumby	Mr Hamilton	Mr Sercombe	
Mr Carli	Mr Loney	Mr Thomson	Tellers
Dr Coghill	Mr Micallef	(Pascoe Vale)	Mr Andrianopoulos
Mr Cole	Mr Mildenhall	Mr Thwaites	Mr Cunningham

And so it was resolved in the affirmative.

Question - That the debate be adjourned for two weeks - put and agreed to.

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

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

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

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government gives a guarantee that no small business, which is currently exempt, will become liable for payroll tax or for increased payroll tax as a result of this legislation" (Mr Loney) - and, after debate -

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

The House divided.

AYES, 49

Mr Ashley	Mr Jenkins	Dr Napthine	Mr Steggall
Mr Bildstien	Mr John	Mr Pescott	Mr Stockdale
Mr Clark	Mr Kilgour	Mrs Peulich	Mr Tanner
Mr Coleman	Mr Leigh	Mr Phillips	Mrs Tehan
Mr Cooper	Mr Lupton	Mr Plowman	Mr Thompson
Mr Davis	Mr McArthur	(Benambra)	(Sandringham)
Dr Dean	Mrs McGill	Mr Plowman	Mr Traynor
Mr Elder	Mr McGrath	(Evelyn)	Mr Treasure
Mrs Elliott	(Warrnambool)	Mr Reynolds	Mr Turner
Mr Finn	Mr McGrath	Mr Richardson	Mr Wells
Mr Gude	(Wimmera)	Mr Rowe	
Mr Hefferman	Mr McLellan	Mr Ryan	
Mr Honeywood	(Frankston East)	Mr Smith	Tellers
Mr Hyams	Mr Maclellan	(Glen Waverley)	Mr Doyle
Mr Jasper	(Pakenham)	Mr Spry	Mr Paterson

NOES, 21

Mr Andrianopoulos	Mr Cunningham	Mr Mildenhall	Dr Vaughan
Mr Baker	Mr Dollis	Mr Sandon	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Seitz	
Mr Bracks	Mr Haermeyer	Mr Thomson	Tellers
Mr Brumby	Mr Hamilton	(Pascoe Vale)	Mr Carli
Mr Cole	Mr Loney	Mr Thwaites	Mr Pandazopoulos

And so it was resolved in the affirmative.

Bill read a second time.

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 31 October 1995 had expired.

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

- 10 **FISHERIES BILL (No. 2)** - Order read for resuming debate on question - That this Bill be now read a second time; Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly.

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

- 11 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Stockdale*) - put and agreed to.
- 12 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 4.42 p.m., adjourned until Tuesday, 14 November 1995.

PHILIP J. MITHEN
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos. 80, 81 and 82

No. 80 - Tuesday, 14 November 1995

- 1 The House met pursuant to adjournment - Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Palliative Care** - Seeking that palliative care for the terminally ill be supported and encouraged within the health care system and that the act of euthanasia remain a criminal offence, bearing 1 signature (*by Mr Tanner*)
 - Brothels in Rural Centres** - Seeking that the Government reinstate the prohibition of legal brothels in rural centres with a population over 20,000, and in Mildura in particular, bearing 1,321 signatures (*by Mr Bildstien*)
 - Police Presence at Werribee** - Seeking that more police be stationed at Werribee, bearing 342 signatures (*by Dr Coghill*).Severally ordered to lie on the Table.
- 4 **RESPONSE TO THE AUDITOR-GENERAL'S REPORT** - Motion made, by leave, and question - That there be presented to this House a copy of the response by the Minister for Finance to the Report on Ministerial Portfolios of May 1995, Finance Statement of November 1994 and Special Reports 1994-95 (*Mr Maclellan, Pakenham*) - put and agreed to.
- 5 **PAPER** - Mr Maclellan (*Pakenham*) presented:
 - Response by the Minister for Finance to the Report on Ministerial Portfolios of May 1995, Finance Statement of November 1994 and Special Reports 1994-95 - Return to the foregoing Order.Ordered to lie on the Table.
- 6 **HERITAGE BILL** - Motion made, by leave, and question - That it be an instruction to the Committee that they have power to consider a New Division 6 of Part 8 to the Heritage Bill consisting of New heading and new clauses to provide for additional enforcement provisions against owners of registered places or objects who have been convicted of an offence under clause 64 or 164 by allowing the Governor in Council to place a non-development or use order not exceeding 10 years on the registered place or object related to the offence (*Mr Maclellan, Pakenham*) - put and agreed to.
- 7 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 13 of 1995 on the:
 - Domestic Building Contracts and Tribunal Bill
 - Carlton (Recreation Ground) Land (Amendment) Bill
 - Land Revocation (And Other Matters) Bill

Australian Grand Prix (Further Amendment) Bill
 Valuation of Land (Further Amendment) Bill
 The Constitution Act Amendment (Amendment) Bill
 Miscellaneous Acts (Omnibus Amendments) Bill
 Miscellaneous Acts (Health and Justice) Amendment Bill
 Casino (Management Agreement) (Further Amendment) Bill
 Legal Profession Practice (Amendment) Bill
 Superannuation Acts (Miscellaneous Amendments) Bill
 Professional Boxing and Martial Arts Bill
 Marcus Oldham College Bill
 Classification (Publications, Films and Computer Games) (Enforcement) Bill
 Farm Produce Wholesale (Amendment) Bill
 Liquor Control (Further Amendment) Bill
 Public Sector Management and Parliamentary Officers (Amendment) Bill
 Melbourne City Link Bill
 Racing (Amendment) Bill
 State Taxation (Further Amendment) Bill

together with an Appendix.

Ordered to lie on the Table and to be printed.

- 8 **ECONOMIC DEVELOPMENT COMMITTEE** - Mr Leighton, brought up a Report from the Economic Development Committee upon the Inquiry into the Export of Environmental Services and Associated Technologies, together with Appendices and Minutes of Evidence.

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

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

Auditor-General's Office - Report for the year 1994-95

City of Melbourne Superannuation Fund Trustees - Report for the year 1994-95

Coal Mine Workers' Pensions Tribunal - Report for the year 1994-95

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

East Gippsland Region Water Authority - Report for the year 1994-95

Emergency Services Superannuation Scheme - Report for the year 1994-95

Generation Victoria - Report for the year 1994-95, together with an explanation for the delay in tabling

Goulburn-Murray Rural Water Authority - Report for the year 1994-95

Hospitals Superannuation Board - Report for the year 1994-95

Hospitals Superannuation Fund - Report on the Actuarial Investigation of the Fund as at 30 June 1995

Local Authorities Superannuation Board - Report for the year 1994-95

Melbourne Water Corporation Act 1992 - Direction under section 45(1)

Mental Health Review Board and Psychosurgery Review Board - Report for the year 1994-95

Mid-Goulburn Regional Water Board - Report for the year 1994-95

National Crime Authority - Report for the year 1994-95

Parliamentary Contributory Superannuation Fund - Report for the year 1994-95

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

Ballaarat (City) Planning Scheme - No. L59
Berwick Planning Scheme - No. L100
Birchip Planning Scheme - No. L2
Bulla Planning Scheme - No. L110
Campaspe Planning Scheme - No. L1
Chiltern Planning Scheme - No. L26
Croydon Planning Scheme - No. L74
Dandenong Planning Scheme - Nos. L40, L41
Darebin Planning Scheme - Nos. L2, L7
Diamond Valley Planning Scheme - No. L58
Doncaster and Templestowe Planning Scheme - No. L76
Essendon Planning Scheme - Nos. L55, L57
Flinders Planning Scheme - No. L135
Gannawarra Amalgamation Amendment
Greater Bendigo Planning Scheme - Nos. L4, L34, L36
Greater Geelong Planning Scheme - Nos. R126, RL124
Hastings Planning Scheme - No. L68 Part 1
Healesville Planning Scheme - No. L59
Horsham (Rural City) Planning Scheme - No. L5
Keilor Planning Scheme - No. L90
Kerang Shire Planning Scheme - No. L6
Lillydale Planning Scheme - No. L156
Macedon Ranges Planning Scheme - No. L4
Milawa Planning Scheme - No. L2
Mitchell Planning Scheme - No. L36
Moirra Planning Scheme - Nos. L6, L8
Mornington Planning Scheme - No. L57
Narracan Planning Scheme - Nos. L36, L45
Oakleigh Planning Scheme - No. L43
Orbost Planning Scheme - No. L24 Part 1
Pakenham Planning Scheme - No. L104
Port Phillip Planning Scheme - Nos. L1, L14
Ringwood Planning Scheme - No. L47
Rodney Planning Scheme - No. L70
South Gippsland Planning Scheme - No. L35
Springvale Planning Scheme - No. L58
Surf Coast Planning Scheme - Nos. L21, R13
Swan Hill (Shire) Planning Scheme - No. L21
Upper Yarra Planning Scheme - No. L42
Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan - No. 81
Waverley Planning Scheme - No. L56
Whittlesea Planning Scheme - No. L118
Williamstown Planning Scheme - No. L36
Wonthaggi Planning Scheme - No. L24

Portland Coast Region Water Authority - Report for the year 1994-95

Public Prosecutions - Report of the Director, Committee and Office for the year 1994-95

Public Service Commissioner - Report for the year 1994-95

Radiation Advisory Committee - Report for the year ended 30 September 1995

South West Water Authority - Report for the year 1994-95

Southern Rural Water Authority - Report for the year 1994-95

Statutory Rules under the following Acts:

- Cemeteries Act 1958 - S.R. No. 137
- Magistrates' Court Act 1989 - S.R. No. 136
- Physiotherapists Act 1978 - S.R. No. 138
- Supreme Court Act 1986 - S.R. No. 135
- Vegetation and Vine Diseases Act 1958 - S.R. No. 134

Subordinate Legislation Act 1994 -

- Minister's exception certificates in relation to Statutory Rule Nos. 113, 129
- Ministers' exemption certificates in relation to Statutory Rule Nos. 134, 137, 138

Sunraysia Rural Water Authority - Report for the year 1994-95

Tattersall Sweep Consultation - Financial Statement for the year 1994-95

Victorian Casino and Gaming Authority - Report for the period ended 30 June 1995

Victorian Dairy Industry Authority - Report for the year 1994-95

Victorian Meat Authority - Report for the year 1994-95

Victorian Superannuation Board - Report for the year 1994-95

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

Wimmera-Mallee Rural Water Authority - Report for the year 1994-95

Youth Parole Board and Youth Residential Board - Report for years 1993-95 (two papers)

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 27 October 1992:

Health Acts (Amendment) Act 1995 - Sections 8, 9, 10 and 11 on 1 January 1996 (*Gazette No. G44, 9 November 1995*)

Melbourne and Olympic Parks (Amendment) Act 1995 - Parts 4 and 5 on 9 November 1995 (*Gazette No. G44, 9 November 1995*)

University Acts (Further Amendment) Act 1995 - All provisions (other than sections 1, 2, 57 and 75) on 1 November 1995 (*Gazette No. S109, 1 November 1995*).

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

- Competition Policy Reform (Victoria) Bill
- Government Employee Housing Authority (Repeal) Bill
- Local Government (Elections) Bill
- Prevention of Cruelty to Animals (Amendment) Bill.

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

- Domestic Building Contracts and Tribunal Bill
- Land Revocations (And Other Matters) Bill
- Liquor Control (Further Amendment) Bill
- Marcus Oldham College Bill
- Melbourne City Link Bill
- Miscellaneous Acts (Health and Justice) Amendment Bill
- Miscellaneous Acts (Omnibus Amendments) Bill

Professional Boxing and Martial Arts Bill
 Public Sector Management and Parliamentary Officers (Amendment) Bill
 Superannuation Acts (Miscellaneous Amendments) Bill.

- 12 GOVERNMENT BUSINESS PROGRAM - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 16 November 1995:

Heritage Bill
 Marcus Oldham College Bill
 Domestic Building Contracts and Tribunal Bill
 Land Revocations (And Other Matters) Bill
 Miscellaneous Acts (Omnibus Amendments) Bill
 Australian Grand Prix (Further Amendment) Bill
 Miscellaneous Acts (Health and Justice) Amendment Bill
 Legal Profession Practice (Amendment) Bill
 Carlton (Recreation Ground) Land (Amendment) Bill
 Liquor Control (Further Amendment) Bill

(Mr Gude) - after debate, put.

The House divided.

AYES, 53

Mr Ashley	Mr Jenkins	Dr Napthine	Mr Spry
Mr Bildstien	Mr John	Mr Paterson	Mr Steggall
Mr Brown	Mr Kilgour	Mr Perrin	Mrs Tehan
Mr Clark	Mr Leigh	Mr Perton	Mr Thompson
Mr Coleman	Mr Lupton	Mr Pescott	(Sandringham)
Mr Cooper	Mr McArthur	Mrs Peulich	Mr Traynor
Mr Davis	Mrs McGill	Mr Phillips	Mr Treasure
Dr Dean	Mr McGrath	Mr Plowman	Mr Turner
Mr Elder	(Warrnambool)	(Benambra)	Mrs Wade
Mrs Elliott	Mr McGrath	Mr Plowman	Mr Weideman
Mr Gude	(Wimmera)	(Evelyn)	Mr Wells
Mr Hayward	Mr McLellan	Mr Reynolds	
Mr Heffernan	(Frankston East)	Mr Richardson	
Mr Honeywood	Mr Maclellan	Mr Ryan	Tellers
Mr Hyams	(Pakenham)	Mr Smith	Mr Doyle
Mr Jasper	Mr Maughan	(Glen Waverley)	Mr Rowe

NOES, 27

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Dr Vaughan
Mr Baker	Ms Garbutt	Mr Sandon	Mrs Wilson
Mr Batchelor	Mr Haermeyer	Mr Seitz	
Mr Bracks	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Leighton	Mr Sheehan	
Dr Coghill	Mr Loney	Mr Thomson	Tellers
Mr Cole	Ms Marple	(Pascoe Vale)	Mr Carli
Mr Cunningham	Mr Micallef	Mr Thwaites	Mr Pandazopoulos

And so it was resolved in the affirmative.

- 13 **HERITAGE BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr Maclellan (*Pakenham*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

Debate resumed on question - That this Bill be now read a second time. Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly and committed; considered in Committee.

Committee reported progress; to sit again tomorrow.

- 14 **MARCUS OLDHAM COLLEGE BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Mr Speaker ruled the Bill to be a Private Bill.

Motion made and question - That this Bill be treated as a Public Bill and that fees be dispensed with (*Mr Hayward*) - put and agreed to.

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

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

- 15 **DOMESTIC BUILDING CONTRACTS AND TRIBUNAL BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted so as to retain the Housing Guarantee Fund but to apply the minimum warranties and guarantees proposed in this Bill to the Fund" (*Mr Mildenhall*) - and, after debate -

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

The House divided.

AYES, 49

Mr Ashley	Mr John	Mr Perton	Mr Spry
Mr Bildstien	Mr Kilgour	Mr Pescott	Mr Steggall
Mr Brown	Mr Leigh	Mrs Peulich	Mrs Tehan
Mr Clark	Mrs McGill	Mr Phillips	Mr Thompson
Mr Coleman	Mr McGrath	Mr Plowman	(<i>Sandringham</i>)
Mr Cooper	(<i>Warrnambool</i>)	(<i>Benambra</i>)	Mr Traynor
Dr Dean	Mr McGrath	Mr Plowman	Mr Treasure
Mr Doyle	(<i>Wimmera</i>)	(<i>Evelyn</i>)	Mr Turner
Mr Elder	Mr McLellan	Mr Richardson	Mrs Wade
Mrs Elliott	(<i>Frankston East</i>)	Mr Rowe	Mr Weideman
Mr Heffernan	Mr Maclellan	Mr Ryan	Mr Wells
Mr Honeywood	(<i>Pakenham</i>)	Mr Smith	
Mr Hyams	Mr Maughan	(<i>Glen Waverley</i>)	Tellers
Mr Jasper	Dr Napthine	Mr Smith	Mr Lupton
Mr Jenkins	Mr Paterson	(<i>Polwarth</i>)	Mr McArthur

NOES, 26

Mr Andrianopoulos	Ms Garbutt	Mr Sandon	Mrs Wilson
Mr Baker	Mr Haermeyer	Mr Seitz	
Mr Batchelor	Mr Hamilton	Mr Sercombe	
Mr Bracks	Mr Leighton	Mr Sheehan	
Dr Coghill	Mr Loney	Mr Thomson	
Mr Cole	Ms Marple	(Pascoe Vale)	Tellers
Mr Cunningham	Mr Micallef	Mr Thwaites	Mr Carli
Mr Dollis	Mr Mildenhall	Dr Vaughan	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

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

- 16 **LAND REVOCATIONS (AND OTHER MATTERS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

- 17 **MISCELLANEOUS ACTS (OMNIBUS AMENDMENTS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed; Bill read a second time and, by leave, read a third time forthwith.

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

- 18 **AUSTRALIAN GRAND PRIX (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Amendment proposed - That all the words after "that" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government has had further consultation with relevant organisations and the community about the ramifications of the Australian Grand Prix (Further Amendment) Bill which would allow citizens the opportunity to express their concerns about restrictions imposed on their access and conduct in Albert Park" (Mr Dollis).

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

- 19 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 11.15 p.m.

No. 81 - Wednesday, 15 November 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITION** - The Clerk announced that the following petition had been lodged for presentation:
 - Hens in Battery Cages** - Seeking that the system of confining hens in battery cages for egg production be made illegal, bearing 20 signatures (*by Mr Doyle*).
 Ordered to lie on the Table.
- 3 **HEALTH COMPUTING SERVICES - VICTORIA LIMITED** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Health Computing Services - Victoria Limited for the year 1994-95 (*Mrs Tehan*) - put and agreed to.
- 4 **PAPER** - Mrs Tehan presented:
 - Health Computing Services - Victoria Limited - Report for the year 1994-95 - Return to the foregoing Order.
 Ordered to lie on the Table.
- 5 **ENVIRONMENT AND NATURAL RESOURCES COMMITTEE** - Mr Perrin, Chairman, brought up a Report from the Environment and Natural Resources Committee on Problems in Victoria caused by Long-Billed Corellas, Sulphur-Crested Cockatoos and Galahs, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table and the Report and Appendices to be printed.
- 6 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Ararat and District Hospital - Report for the year 1994-95
 - Bacchus Marsh and Melton Memorial Hospital - Report for the year 1994-95
 - Beechworth Hospital - Report for the year 1994-95 (two papers)
 - Dunmunkle Health Services - Report for the year 1994-95
 - Edenhope and District Memorial Hospital - Report for the year 1994-95
 - Intellectually Disabled Persons' Services Act 1986 - Report of the Community Visitors for the year 1994-95
 - Myrtleford District War Memorial Hospital - Report for the year 1994-95
 - Ripon Peace Memorial Hospital Beaufort - Report for the year 1994-95
 - Seymour District Memorial Hospital - Report for the year 1994-95
 - Stawell District Hospital - Report for the year 1994-95
 - United Energy Limited - Notification from the Treasurer of the reasons for the delay in tabling the annual report for the year 1994-95
 - Victoria Grants Commission - Report for the year ended 31 August 1995
 - Willaura and District Hospital - Report for the year 1994-95
 - Wimmera Base Hospital - Report for the year 1994-95.

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- 7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Mental Health (Amendment) Bill with amendments.
Ordered - That the said amendments be printed and taken into consideration tomorrow.
- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Transmitting a Bill for "*An Act to repeal the 'Farm Produce Wholesale Act 1990' and to make interim arrangements for the administration of that Act by the Melbourne Market Authority until its repeal, to make consequential amendments to the 'Melbourne Market Authority Act 1977' and for other purposes*".
- 9 **FARM PRODUCE WHOLESALE (AMENDMENT) BILL** - On the motion of Mr Gude, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Transmitting a Bill for "*An Act to provide for the enforcement of a scheme of classification of publications, films and computer games and for other purposes*".
- 11 **CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (ENFORCEMENT) BILL** - On the motion of Mr Gude, the Bill transmitted by the foregoing Message was read a first time, ordered to be printed and read a second time tomorrow.
- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Road Transport (Dangerous Goods) Bill without amendment.
- 13 **VACANCIES IN THE MEMBERSHIP OF THE COUNCILS OF MELBOURNE UNIVERSITY, MONASH UNIVERSITY AND THE ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY** - Mr Speaker announced that he had received the following communications:

10 October 1995

The Hon John Delzoppo, MP
Speaker
Legislative Assembly
Parliament House
Spring Street
MELBOURNE VIC. 3000

Dear Mr Speaker

Section 5(1)(a) of the Melbourne University Act 1958 provides for appointment to the Council of the University of one person who shall be a member of the Legislative Council and two persons who shall be members of the Legislative Assembly, recommended for appointment by the members thereof. Members of Parliament currently appointed to these positions are:

Hon Bill Forwood, MLC
Mr John Thwaites, MP
Mr Victor Perton, MP

The terms of appointment to these positions expire on 31 December 1995.

Section 7(1)(a)(i) of the Monash University Act 1958 provides for the appointment to the Council of the University of 9 members appointed by the Governor in Council of whom 3 shall be members of the Parliament of Victoria recommended for appointment by a joint sitting of the members of the Legislative Council and the Legislative Assembly, conducted

in accordance with rules adopted for the purpose by the members present at the sitting. The persons currently appointed to these positions are:-

Hon Peter Hall, MLC
 Hon James Guest, MLC
 Dr Gerard Vaughan, MP

The terms of appointment to these positions expires on 9 December 1995.

I seek your assistance in arranging for the recommendation of two members of the Legislative Assembly who could be proposed to the Governor in Council for appointment to the Council of the University of Melbourne and for a joint sitting of both Houses of Parliament at which members can be recommended for appointment to the Council of Monash University.

Yours sincerely,

Haddon Storey, QC, MLC
 Minister for Tertiary Education and Training

31 October 1995

The Hon John Delzoppo, MP
 Speaker
 Legislative Assembly
 Parliament House
 Spring Street
 MELBOURNE VIC. 3000

Dear Mr Speaker

Section 7(2)(h) of the Royal Melbourne Institute of Technology Act 1992 provides for appointment to the Council by the Governor in Council of three persons who are members of the Parliament of Victoria recommended for appointment by a joint sitting of the members of the Legislative Council and the Legislative Assembly conducted in accordance with rules adopted for the purpose by the members present at the sitting.

The following members were appointed under these provisions for terms of three years beginning 1 July 1995:-

The Hon Gerald Barry Ashman, JP, MLC
 The Hon David Mylor Evans, MLC
 Ms Sherryl Maree Garbutt, MP

Membership provisions relating to the Council of Royal Melbourne Institute of Technology were amended by sections 19, 25 and 26 of the University Acts (Amendment) Act 1994 and transitional arrangements provide for all members of the Council holding office on 31 December 1995 to go out of office on that date. Such persons are eligible for re-election or reappointment.

As a consequence of these amendments the positions for members of Parliament on the Council of Royal Melbourne Institute of Technology become vacant on 31 December 1995.

I seek your assistance in arranging for a joint sitting to recommend members of the Parliament of Victoria to be proposed to the Governor in Council for appointment to the Council of Royal Melbourne Institute of Technology, for terms of three years commencing on January 1, 1996.

Yours sincerely,
Haddon Storey, QC, MLC
Minister for Tertiary Education and Training.

Motion made and question - That this House meets the Legislative Council for the purpose of sitting and voting together to choose Members of the Parliament to be recommended for appointment to the Council of Monash University and the Council of Royal Melbourne Institute of Technology and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Tuesday, 21 November 1995 at 6.15 p.m. (*Mr Gude*) - put and agreed to.

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

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

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

16 **LIQUOR CONTROL (LICENCES AND PERMITS) BILL** - Mr Heffernan obtained leave, with Mr Gude, to bring in a Bill "to amend the 'Liquor Control Act 1987' to make further provision in relation to licences and permits and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.

17 **AUSTRALIAN GRAND PRIX (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "that" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government has had further consultation with relevant organisations and the community about the ramifications of the Australian Grand Prix (Further Amendment) Bill which would allow citizens the opportunity to express their concerns about restrictions imposed on their access and conduct in Albert Park"; debate resumed.

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

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

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

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted omitting those provisions relating to the *Prostitution Control Act 1994* which should be introduced to Parliament in a separate Bill" (*Mr Thwaites*).

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

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

Mrs Tehan, by leave, made a further statement of intention required by section 85(5)(c)(iii) of the Constitution Act 1975.

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 Tanner*) - put and agreed to.

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

- 19 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Acquainting the Assembly that they have agreed to meet the Assembly for the purpose of sitting and voting together to recommend Members of the Parliament of Victoria for appointment to the Councils of Monash University and the Royal Melbourne Institute of Technology as proposed by the Assembly.

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

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to provide for one per cent of the annual income of the Solicitors' Guarantee Fund to be set aside for consumer education concerning legal services" (*Mr Mildenhall*).

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

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

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

- 21 **AUSTRALIAN GRAND PRIX (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "that" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government has had further consultation with relevant organisations and the community about the ramifications of the Australian Grand Prix (Further Amendment) Bill which would allow citizens the opportunity to express their concerns about restrictions imposed on their access and conduct in Albert Park".

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

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

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

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

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

- 22 **LEGAL PROFESSION PRACTICE (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to provide for one per cent of the annual income of the Solicitors' Guarantee Fund to be set aside for consumer education concerning legal services"; debate resumed.

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

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

- 23 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mrs Wade*) - put and agreed to.
- 24 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 11.17 p.m., adjourned until tomorrow.

PHILIP J. MITHEN
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 82 - Thursday, 16 November 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Coode Island Hazardous Chemical Storage Facility** - Seeking that the Government does not relocate the Coode Island Hazardous Chemical Storage Facility to Point Lillias, bearing 60 signatures (*by Mr Patterson*)
 - Pedestrian Gates - Rosanna Railway Station** - Seeking that the Government will urgently address the concerns of the community and install automatic locking pedestrian gates at the rail/road crossings near Rosanna Railway Station, bearing 220 signatures (*by Ms Garbutt*).Severally ordered to lie on the Table.
- 3 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Gippsland Southern Health Service - Report for the year 1994-95
 - Statutory Rules under the following Acts:
 - Fisheries Act 1968 - S.R. No. 140
 - National Parks Act 1975 - S.R. No. 139
 - Subordinate Legislation Act 1994 - S.R. No. 141
 - St. Georges Hospital and Inner Eastern Geriatric Service - Report for the year 1994-95
 - Subordinate Legislation Act 1994 - Ministers' exception certificates relating to Statutory Rule Nos. 139, 140
 - Tawonga District General Hospital - Report for the year 1994-95
 - Treasury and Finance Department - Report for the year 1994-95.
- 4 **MESSAGES FROM THE LEGISLATIVE COUNCIL** - Agreeing to the following Bills without amendment:
 - Racing (Amendment) Bill
 - Dangerous Goods (Amendment) Bill
 - Vocational Education and Training (Amendment) Bill
 - Electricity Industry (Further Amendment) Bill
 - Port Services Bill.

- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** - Agreeing to the Trustee and Trustee Companies (Amendment) Bill with an amendment.

Ordered - That the said amendment be printed and, by leave, taken into consideration later this day.

- 6 **LEGAL PROFESSION PRACTICE (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to provide for one per cent of the annual income of the Solicitors' Guarantee Fund to be set aside for consumer education concerning legal services"; debate resumed.

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

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

- 7 **CARLTON (RECREATION GROUND) LAND (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Mr Speaker ruled the Bill to be a Private Bill.

Motion made and question - That this Bill be treated as a Public Bill and that fees be dispensed with (*Mr Coleman*) - put and agreed to.

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

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government - (a) provides copies of a detailed traffic and parking plan that has been prepared, including the impact on Princess Park and park users; (b) investigates a more appropriate proposal not requiring the removal of existing trees; (c) provides specific information on impacts of any proposed extension of use beyond AFL football and cricket; and (d) makes public details of the agreement between the Carlton Cricket and Football Social Club and Optus" (*Mr Dollis*) - and, after debate -

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

The House divided.

AYES, 53

Mr Ashley	Mr Kilgour	Mrs Peulich	Mr Tanner
Mr Bildstien	Mr Leigh	Mr Phillips	Mrs Tehan
Mr Brown	Mr Lupton	Mr Plowman	Mr Thompson
Mr Clark	Mr McArthur	(Benambra)	(Sandringham)
Mr Coleman	Mrs McGill	Mr Plowman	Mr Traynor
Mr Cooper	Mr McGrath	(Evelyn)	Mr Treasure
Mr Davis	(Warrnambool)	Mr Reynolds	Mr Turner
Dr Dean	Mr McNamara	Mr Richardson	Mrs Wade
Mr Elder	Mr Maclellan	Mr Rowe	Mr Weideman
Mrs Elliott	(Pakenham)	Mr Ryan	Mr Wells
Mr Gude	Mr Maughan	Mr Smith	
Mr Hayward	Dr Naphine	(Glen Waverley)	
Mr Hyams	Mr Paterson	Mr Smith	Tellers
Mr Jasper	Mr Perrin	(Polwarth)	Mr Doyle
Mr Jenkins	Mr Perton	Mr Spry	Mr McLellan
Mr John	Mr Pescott	Mr Steggall	(Frankston East)

NOES, 24

Mr Baker	Ms Garbutt	Mr Mildenhall	Dr Vaughan
Mr Bracks	Mr Haermeyer	Mr Seitz	Mrs Wilson
Mr Brumby	Mr Hamilton	Mr Sercombe	
Mr Carli	Mr Leighton	Mr Sheehan	
Mr Cole	Mr Loney	Mr Thomson	Tellers
Mr Cunningham	Ms Marple	(Pascoe Vale)	Mr Andrianopoulos
Mr Dollis	Mr Micallef	Mr Thwaites	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

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

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

9 **FARM PRODUCE WHOLESALE (AMENDMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Gude*).

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

Ordered - That the debate be adjourned until Tuesday, 21 November 1995.

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

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

11 **CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (ENFORCEMENT) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mrs Wade*).

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

Ordered - That the debate be adjourned until Tuesday, 21 November 1995.

12 **LIQUOR CONTROL (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Amendment proposed - That all words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government produces a comprehensive strategy aimed at combating the issues surrounding under age drinking and which recognises that most under age drinking takes place away from licensed premises" (*Mr Loney*) - and, after debate -

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 14 November 1995 had expired.

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

The House divided.

* AYES, 51

Mr Bildstien	Mr John	Mr Perrin	Mr Spry
Mr Brown	Mr Kilgour	Mr Perton	Mr Steggall
Mr Clark	Mr Leigh	Mr Pescott	Mr Tanner
Mr Cooper	Mr Lupton	Mrs Peulich	Mrs Tehan
Dr Dean	Mr McArthur	Mr Phillips	Mr Thompson
Mr Doyle	Mrs McGill	Mr Plowman	(<i>Sandringham</i>)
Mr Elder	Mr McGrath	(<i>Benambra</i>)	Mr Traynor
Mrs Elliott	(<i>Warrnambool</i>)	Mr Reynolds	Mr Treasure
Mr Gude	Mr McLellan	Mr Richardson	Mr Turner
Mr Hayward	(<i>Frankston East</i>)	Mr Rowe	Mrs Wade
Mr Heffernan	Mr McNamara	Mr Ryan	Mr Wells
Mr Honeywood	Mr Maclellan	Mr Smith	
Mr Hyams	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	Tellers
Mr Jasper	Mr Maughan	Mr Smith	Mr Ashley
Mr Jenkins	Mr Paterson	(<i>Polwarth</i>)	Mr Davis

NOES, 25

Mr Andrianopoulos	Mr Haermeyer	Mr Sandon	
Mr Baker	Mr Hamilton	Mr Seitz	
Mr Batchelor	Mr Leighton	Mr Sercombe	
Mr Bracks	Mr Loney	Mr Sheehan	
Mr Brumby	Ms Marple	Mr Thomson	
Mr Cole	Mr Micallef	(<i>Pascoe Vale</i>)	Tellers
Mr Dollis	Mr Mildenhall	Dr Vaughan	Mr Carli
Ms Garbutt	Mr Pandazopoulos	Mrs Wilson	Mr Cunningham

And so it was resolved in the affirmative.

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

* Division corrected by direction of Mr Speaker. See Votes and Proceedings, Thursday, 16 November 1995, p. 385.

- 13 **LEGAL PROFESSION PRACTICE (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to provide for one per cent of the annual income of the Solicitors' Guarantee Fund to be set aside for consumer education concerning legal services".

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

The House divided.

AYES, 50

Mr Ashley	Mr Jenkins	Mr Perton	Mr Tanner
Mr Bildstien	Mr John	Mr Pescott	Mrs Tehan
Mr Brown	Mr Kilgour	Mrs Feulich	Mr Thompson
Mr Clark	Mr Leigh	Mr Phillips	(Sandringham)
Mr Cooper	Mr Lupton	Mr Plowman	Mr Traynor
Mr Davis	Mrs McGill	(Benambra)	Mr Turner
Dr Dean	Mr McGrath	Mr Reynolds	Mrs Wade
Mr Doyle	(Warrnambool)	Mr Richardson	
Mr Elder	Mr McLellan	Mr Rowe	
Mrs Elliott	(Frankston East)	Mr Ryan	
Mr Gude	Mr McNamara	Mr Smith	
Mr Hayward	Mr Maclellan	(Glen Waverley)	
Mr Heffernan	(Pakenham)	Mr Smith	
Mr Honeywood	Mr Maughan	(Polwarth)	Tellers
Mr Hyams	Mr Paterson	Mr Spry	Mr McArthur
Mr Jasper	Mr Perrin	Mr Steggall	Mr Treasure

NOES, 25

Mr Baker	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Batchelor	Mr Haermeyer	Mr Sandon	Dr Vaughan
Mr Bracks	Mr Hamilton	Mr Seitz	Mrs Wilson
Mr Carli	Mr Leighton	Mr Sercombe	
Mr Cole	Mr Loney	Mr Sheehan	Tellers
Mr Cunningham	Ms Marple	Mr Thomson	Mr Andrianopoulos
Mr Dollis	Mr Micallef	(Pascoe Vale)	Mr Pandazopoulos

And so it was resolved in the affirmative.

Question - That this Bill be read now a second time, Government amendments Nos. 1 to 15 be agreed to, the Bill be now read a third time and be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 14 **AUSTRALIAN GRAND PRIX (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until the Government has had further consultation with relevant organisations and the community about the ramifications of the Australian Grand Prix (Further Amendment) Bill which would allow citizens the opportunity to express their concerns about restrictions imposed on their access and conduct in Albert Park".

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

The House divided.

AYES, 50

Mr Ashley	Mr Jasper	Mr Perrin	Mr Spry
Mr Bildstien	Mr Jenkins	Mr Perton	Mr Steggall
Mr Brown	Mr John	Mr Pescott	Mr Tanner
Mr Clark	Mr Kilgour	Mrs Peulich	Mrs Tehan
Mr Cooper	Mr Leigh	Mr Phillips	Mr Thompson
Mr Davis	Mr Lupton	Mr Plowman	(Sandringham)
Dr Dean	Mr McArthur	(Benambra)	Mr Traynor
Mr Doyle	Mr McGrath	Mr Reynolds	Mr Treasure
Mr Elder	(Warrnambool)	Mr Richardson	Mr Turner
Mrs Elliott	Mr McLellan	Mr Rowe	Mrs Wade
Mr Gude	(Frankston East)	Mr Ryan	
Mr Hayward	Mr McNamara	Mr Smith	Tellers
Mr Heffernan	Mr Maclellan	(Glen Waverley)	Mrs McGill
Mr Honeywood	(Pakenham)	Mr Smith	Mr Paterson
Mr Hyams	Mr Maughan	(Polwarth)	

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Haermeyer	Mr Sandon	Dr Vaughan
Mr Batchelor	Mr Hamilton	Mr Seitz	Mrs Wilson
Mr Bracks	Mr Leighton	Mr Sercombe	
Mr Cole	Mr Loney	Mr Sheehan	Tellers
Mr Cunningham	Ms Marple	Mr Thomson	Mr Carli
Mr Dollis	Mr Micallef	(Pascoe Vale)	Mr Pandazopoulos

And so it was resolved in the affirmative.

Question - That this Bill be read now a second time, Government amendment No. 1 be agreed to, the Bill be now read a third time and be transmitted to the Legislative Council and their concurrence desired therein - put.

The House divided

AYES, 50

Mr Ashley	Mr John	Mr Perton	Mr Tanner
Mr Bildstien	Mr Kilgour	Mr Pescott	Mrs Tehan
Mr Brown	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Clark	Mr Lupton	Mr Phillips	(Sandringham)
Mr Cooper	Mr McArthur	Mr Plowman	Mr Traynor
Mr Davis	Mrs McGill	(Benambra)	Mr Treasure
Dr Dean	Mr McGrath	Mr Reynolds	Mrs Wade
Mr Doyle	(Warrambool)	Mr Richardson	
Mr Elder	Mr McLellan	Mr Rowe	
Mrs Elliott	(Frankston East)	Mr Ryan	
Mr Gude	Mr McNamara	Mr Smith	
Mr Hayward	Mr Maclellan	(Glen Waverley)	
Mr Heffernan	(Pakenham)	Mr Smith	
Mr Honeywood	Mr Maughan	(Polwarth)	Tellers
Mr Hyams	Mr Paterson	Mr Spry	Mr Jenkins
Mr Jasper	Mr Perrin	Mr Steggall	Mr Turner

NOES, 25

Mr Baker	Mr Haermeyer	Mr Pandazopoulos	Mr Thwaites
Mr Batchelor	Mr Hamilton	Mr Sandon	Dr Vaughan
Mr Bracks	Mr Leighton	Mr Seitz	Mrs Wilson
Mr Carli	Mr Loney	Mr Sercombe	
Mr Cole	Ms Marple	Mr Sheehan	Tellers
Mr Dollis	Mr Micallef	Mr Thomson	Mr Andrianopoulos
Ms Garbutt	Mr Mildenhall	(Pascoe Vale)	Mr Cunningham

And so it was resolved in the affirmative.

- 15 MISCELLANEOUS ACTS (HEALTH AND JUSTICE) AMENDMENT BILL - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted omitting those provisions relating to the *Prostitution Control Act 1994* which should be introduced to Parliament in a separate Bill".

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

The House divided.

AYES, 50

Mr Ashley	Mr Jasper	Mr Maughan	Mr Steggall
Mr Bildstien	Mr Jenkins	Mr Paterson	Mr Tanner
Mr Brown	Mr John	Mr Perrin	Mrs Tehan
Mr Clark	Mr Kilgour	Mr Perton	Mr Traynor
Mr Cooper	Mr Leigh	Mr Pescott	Mr Treasure
Mr Davis	Mr Lupton	Mrs Peulich	Mr Turner
Dr Dean	Mr McArthur	Mr Phillips	Mrs Wade
Mr Doyle	Mrs McGill	Mr Reynolds	Mr Wells
Mr Elder	Mr McGrath	Mr Richardson	
Mrs Elliott	(Warrnambool)	Mr Rowe	
Mr Gude	Mr McLellan	Mr Smith	
Mr Hayward	(Frankston East)	(Glen Waverley)	Tellers
Mr Heffernan	Mr McNamara	Mr Smith	Mr Ryan
Mr Honeywood	Mr Maclellan	(Polwarth)	Mr Thompson
Mr Hyams	(Pakenham)	Mr Spry	(Sandringham)

NOES, 25

Mr Baker	Mr Haermeyer	Mr Pandazopoulos	Mr Thwaites
Mr Batchelor	Mr Hamilton	Mr Sandon	Dr Vaughan
Mr Bracks	Mr Leighton	Mr Seitz	Mrs Wilson
Mr Carli	Mr Loney	Mr Sercombe	
Mr Cole	Ms Marple	Mr Sheehan	Tellers
Mr Dollis	Mr Micallef	Mr Thomson	Mr Andrianopoulos
Ms Garbutt	Mr Mildenhall	(Pascoe Vale)	Mr Cunningham

And so it was resolved in the affirmative.

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

Government amendments Nos. 1 and 2 agreed to.

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

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

- 16 **HERITAGE BILL** - Further considered in Committee and reported with amendments; as amended, considered and amendments agreed to.

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

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

-
- 17 **ERROR IN DIVISION LIST** - Mr Speaker informed the House that, in the division which took place in the Liquor Control (Further Amendment) Bill earlier that day, the name of the Honourable Member for Evelyn, Mr Plowman, was recorded instead of that of the Honourable Member for Benambra, Mr Plowman. The Clerk has verified with the Tellers for the "Ayes" that Mr Plowman (*Benambra*) was present. The Honourable Member for Evelyn, Mr Plowman, was not present in the House.

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

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

- 19 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
And the House, at 5.52 p.m., adjourned until Tuesday, 21 November 1995.

PHILIP J. MITHEN
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos. 83, 84 and 85

No. 83 - Tuesday, 21 November 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
 - Narre Warren North Road** - Seeking that the Government will immediately release funds such as those collected from residents in the 3 cents per litre fuel levy and car registration fees to upgrade Narre Warren North Road, in particular the section between the Princes Highway and Narre Warren North, bearing 1,375 signatures (*by Mr Brumby*)
 - Shop Top Residences-Emerald Hill** - Seeking that the Minister for Housing review the decision to auction shop top residences in the Emerald Hill precinct and allow these residences to continue as public housing, bearing 223 signatures (*by Mr Leighton*)
 - Privatisation Campaign** - Seeking that the Government immediately abandon its privatisation campaign and ensure that the SECV, Melbourne Water and the Gas and Fuel Corporation stay in Victorian hands, bearing 577 signatures (*by Mr Baker*).Severally ordered to lie on the Table.
- 4 **PETITION - NARRE WARREN NORTH ROAD** - Motion made and question - That the petition presented by the Member for Broadmeadows relating to the Narre Warren North Road be taken into consideration tomorrow (*Mr Brumby*) - put and agreed to.
- 5 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up a Report from the Scrutiny of Acts and Regulations Committee being the Alert Digest No. 14 of 1995 on the -
 - Melbourne City Link Bill
 - Public Sector Management and Parliamentary Officers (Amendment) Bill
 - Racing (Amendment) Bill
 - Farm Produce Wholesale (Amendment) Billtogether with an Appendix and the Guidelines referred to in the Report.
Ordered to lie on the Table and the Report and Appendix to be printed.
- 6 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Agriculture, Energy and Minerals Department - Report for the year 1994-95
 - Arts, Sport and Tourism Department - Report for the year 1994-95
 - Ballarat Base Hospital - Report for the year 1994-95 (two papers)

- Business and Employment Department - Report for the year 1994-95
- Chiropractors and Osteopaths Registration Board - Report for the year 1994
- Crown Land (Reserves) Act 1978 - Order pursuant to sections 17D and 17DA giving approval to the granting of a lease
- Health Services Act 1988 - Report of the Community Visitors for the year 1994-95 (together with an erratum) - Ordered to be printed
- Housing Guarantee Fund Ltd - Report for the year 1994-95
- Justice Department - Report for the year 1994-95
- Members of Parliament (Register of Interests) Act 1978 - Cumulative Summary of Returns, September 1995 - Ordered to be printed
- Mental Health Act 1986 - Report of the Community Visitors for the year 1994-95
- Northern Victorian Fresh Tomato Industry Development Committee - Report for the year 1994-95
- Nurses Board of Victoria - Report for the year 1994-95
- Planning and Environment Act 1987 - Notices of approval of amendments to the following Planning Schemes:
- Altona Planning Scheme - No. L43
 - Berwick Planning Scheme - No. L85
 - Doncaster and Templestowe Planning Scheme - No. L90
 - Golden Plains Amalgamation Amendment
 - Greater Bendigo Planning Scheme - No. L21
 - Keilor Planning Scheme - No. L99
 - Lowan Planning Scheme - No. L12
 - Melbourne Planning Scheme - No. L185
 - Milawa Planning Scheme - No. L5
 - Mildura Shire Planning Scheme - No. L36
 - Port Phillip Planning Scheme - No. L12
 - Rutherglen Planning Scheme - Nos. L10, L11
 - Sunshine Amalgamation Amendment
 - Upper Yarra Planning Scheme - No. L49
 - Yarra Planning Scheme - No. L4
- Premier and Cabinet Department - Report for the year 1994-95
- Preston and Northcote Community Hospital - Report for the year 1994-95
- Skipton and District Memorial Hospital - Report for the year 1994-95
- Statutory Rule under the Road Safety Act 1986 - S.R. No. 142
- St Vincent's Hospital Melbourne - Report for the year 1994-95 (two papers)
- Subordinate Legislation Act 1994 -
- Minister's exemption certificate in relation to Statutory Rule No. 11
- Transport Department - Report for the year 1994-95
- Victoria Police - Report for the year 1994-95
- Yarrawonga District Hospital and Nursing Home - Report for the year 1994-95.

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 27 October 1992:

Building (Amendment) Act 1995 - Sections 3, 4, 5, 6, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24 and 25 on 1 December 1995 (*Gazette No. G45, 16 November 1995*)

Land (Miscellaneous Matters) and National Tennis Centre (Amendment) Act 1994 - Section 16 on 16 November 1995 (*Gazette No. G45, 16 November 1995*)

Ports Acts (Amendment) Act 1995 - Parts 2 and 3 on 16 November 1995 (*Gazette No. G45, 16 November 1995*).

7 **MELBOURNE UNIVERSITY COUNCIL** - Motion made, by leave, and question - That Mr Cole and Mr Perton be recommended to the Governor in Council for appointment to the Council of the Melbourne University (*Mr McGrath, Wimmera*) - put and agreed to.

8 **GOVERNMENT BUSINESS PROGRAM** - Motion made and question - That, pursuant to Sessional Order No. 6(3), the Orders of the Day, Government Business, relating to the following Bills be considered and completed by 4.00 p.m. on Thursday, 23 November 1995:

- The Constitution Act Amendment (Amendment) Bill
- Superannuation Acts (Miscellaneous Amendments) Bill
- Casino (Management Agreement) (Further Amendment) Bill
- Melbourne City Link Bill
- Mental Health (Amendment) Bill
- Trustee and Trustee Companies (Amendment) Bill
- Valuation of Land (Further Amendment) Bill
- Classification (Publications, Films and Computer Games) (Enforcement) Bill.

(*Mr McGrath, Wimmera*) - after debate, put.

The House divided.

AYES, 55

Mr Ashley	Mr Kilgour	Mr Perton	Mr Tanner
Mr Bildstien	Mr Lupton	Mr Pescott	Mrs Tehan
Mr Brown	Mr McArthur	Mrs Peulich	Mr Thompson
Mr Cooper	Mrs McGill	Mr Phillips	(<i>Sandringham</i>)
Mr Davis	Mr McGrath	Mr Plowman	Mr Traynor
Dr Dean	(<i>Warrnambool</i>)	(<i>Evelyn</i>)	Mr Treasure
Mr Elder	Mr McGrath	Mr Reynolds	Mr Turner
Mrs Elliott	(<i>Wimmera</i>)	Mr Richardson	Mrs Wade
Mr Hayward	Mr McLellan	Mr Rowe	Mr Weideman
Mr Heffernan	(<i>Frankston East</i>)	Mr Ryan	Mr Wells
Mrs Henderson	Mr McNamara	Mr Smith	
Mr Honeywood	Mr Maclellan	(<i>Glen Waverley</i>)	
Mr Hyams	(<i>Pakenham</i>)	Mr Smith	
Mr Jasper	Mr Maughan	(<i>Polwarth</i>)	Tellers
Mr Jenkins	Dr Napthine	Mr Spry	Mr Doyle
Mr John	Mr Paterson	Mr Steggall	Mr Plowman
Mr Kennett	Mr Perrin	Mr Stockdale	(<i>Benambra</i>)

NOES, 26

Mr Andrianopoulos	Mr Dollis	Mr Sandon	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Seitz	
Mr Batchelor	Mr Haermeyer	Mr Sercombe	
Mr Bracks	Mr Hamilton	Mr Sheehan	
Mr Brumby	Mr Leighton	Mr Thomson	
Dr Coghill	Mr Loney	(<i>Pascoe Vale</i>)	<i>Tellers</i>
Mr Cole	Ms Marple	Mr Thwaites	Mr Carli
Mr Cunningham	Mr Mildenhall	Dr Vaughan	Mr Pandazopoulos

And so it was resolved in the affirmative.

- 9 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 1 to 4 inclusive, be postponed until later this day.
- 10 **MELBOURNE CITY LINK BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr McGrath (*Wimmera*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until such time as the Auditor-General has made a full and comprehensive report to the Parliament in relation to the City Link contract and associated legislation including - (a) a full cost benefit analysis of the City Link project, which would encompass - (i) the valuation of any government resources to be committed to the project, including the value of any land assets; (ii) detailed economic and financial analysis of the project, including appropriate assessments of the costs and benefits of alternate options for financing; (iii) analysis of economic costs and benefits to flow from the project; (iv) year on year assessment of costs to Government and Victorian taxpayers over the life of the project; (v) an assessment of environmental costs and benefits (including social costs and benefits); and (vi) identification up front of costs which are not expected to be recovered; (b) a full performance audit; (c) a risk management assessment; (d) an analysis of whether variations in the contract may be made by future governments and the cost to taxpayers of any such variations; (e) an analysis of the nature and extent of contingent liabilities which arise under this project; (f) an analysis of the Base Case Financial Model and the Base Traffic Model; and (g) any other relevant matters" (*Mr Brumby*) - and, after debate.

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

- 11 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.45 p.m.

No. 84 - Wednesday, 22 November 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **VACANCIES IN THE MEMBERSHIP OF THE COUNCILS OF THE MONASH UNIVERSITY AND THE ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY** - Mr Speaker reported that the House, on Tuesday, 21 November 1995, met with the Legislative Council for the purpose of sitting and voting together to choose Members of the Parliament to be recommended for appointment to the Councils of the Monash University and the Royal Melbourne Institute of Technology, and that -
The Honourable James Vincent Chester Guest, MLC
The Honourable Peter Ronald Hall, MLC
Dr Gerard Marshall Vaughan, MP
were recommended for appointment as members of the Council of the Monash University; and
The Honourable Gerald Barry Ashman, JP, MLC
The Honourable David Mylor Evans, MLC, and
Ms Sherryl Maree Garbutt, MP
were recommended for appointment as members of the Council of the Royal Melbourne Institute of Technology.
- 3 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
Dorset Road/Boronia Road Railway Crossing - Seeking that any proposal to construct the Dorset Tunnel be denied and that support be given for the Boronia Interchange proposal to be implemented as a solution to the Dorset Road/Boronia Road railway crossing problem, bearing 2,046 signatures (*by Mr Ashley*)
Road and Tram Track Misalignment - Seeking that Vic Roads and Met tram remedy the misalignment of the road and tram tracks at the intersection of Dandenong and Hawthorn Roads, bearing 49 signatures (*by Mr Tanner*)
Ambulance Service - Seeking that the Government provides sufficient resources to ensure that the Ambulance Service can carry out its duties and statutory obligations, bearing 145 signatures (*by Mr Andrianopoulos*).
Severally ordered to lie on the Table.
- 4 **PRESIDING OFFICERS' REPORT** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Presiding Officers for the period October 1994 to September 1995 (*Mr McGrath, Warrnambool*) - put and agreed to.
- 5 **PAPER** - Mr McGrath (*Warrnambool*) presented:
Report of the Presiding Officers for the period October 1994 to September 1995 - Return to the foregoing Order.
Ordered to lie on the Table.
- 6 **ROYAL COMMISSION INTO ABORIGINAL DEATHS IN CUSTODY** - Motion made, by leave, and question - That there be presented to this House a copy of the Royal Commission into Aboriginal Deaths in Custody, Victorian Government 1994 Implementation Report (*Mr John*) - put and agreed to.

7 PAPER - Mr John presented:

Royal Commission into Aboriginal Deaths in Custody, Victorian Government 1994 Implementation Report - Return to the foregoing Order.

Ordered to lie on the Table.

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

Ambulance Officers' Training Centre - Report for the year 1994-95

Ambulance Service Victoria - Metropolitan Region - Report for the year 1994-95

Ambulance Service Victoria - North Eastern Region - Report for the year 1994-95

Ambulance Service Victoria - North Western Region - Report for the year 1994-95

Ambulance Service Victoria - South Eastern Region - Report for the year 1994-95

Ambulance Service Victoria - South Western Region - Report for the year 1994-95

Ambulance Service Victoria - Western Region - Report for the year 1994-95

Auditor-General - Special Report No. 38 - Privatisation: An audit framework for the future - Ordered to be printed

Dimboola District Hospital and Jeparit Hospital - Report for the year 1994-95

Far East Gippsland Health and Support Service - Report for the period ended 30 June 1995

Health and Community Services Department - Report for the year 1994-95

Kaniva District Hospital - Report for the year 1994-95

Latrobe Regional Commission - Report for the period ended 15 August 1995, together with a notification of the Minister for Finance's authorization extending the time to submit the Report and the reasons for granting such extension

Legal Profession Practice Act 1958 - Report of the Lay Observer to the Solicitors' Board and the Barristers' Disciplinary Tribunal for the year 1994

Olympic Park Management - Report for the year 1994-95, together with an explanation for the delay in tabling by the Minister for Conservation and Environment

Optometrists Registration Board - Report for the year 1994-95

Royal Children's Hospital - Report for the year 1994-95

Victorian Catchment and Land Protection Council - Report for the year 1994-95

Victorian Health Promotion Foundation - Report for the year 1994-95

Warracknabeal District Hospital - Report for the year 1994-95.

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

Marcus Oldham College Bill
 Zoological Parks and Gardens Bill
 Gas Industry (Extension of Supply) Bill
 Water (Further Amendment) Bill
 State Taxation (Further Amendment) Bill.

10 **SUSPENSION OF SESSIONAL ORDER** - Motion made, by leave, and question - That Sessional Order No. 3 be suspended so far as to allow for the calling on of oral questions without notice to be delayed for up to thirty minutes (*Mr McGrath, Wimmera*) - put and agreed to.

11 **COMMISSIONER FOR THE ENVIRONMENT** - Motion made and question proposed - That this House calls on the Government to introduce legislation to establish an independent commissioner for the environment to monitor and report on the Government's performance on the environment (*Mr Dollis*) - and, after debate -

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

Question - accordingly put.

The House divided.

AYES, 24

Mr Andrianopoulos	Mr Dollis	Mr Micallef	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Mildenhall	
Mr Batchelor	Mr Haermeyer	Mr Sandon	
Mr Bracks	Mr Hamilton	Mr Seitz	
Mr Brumby	Mr Leighton	Mr Sercombe	<i>Tellers</i>
Dr Coghill	Mr Loney	Mr Thwaites	Mr Carli
Mr Cunningham	Ms Marple	Dr Vaughan	Mr Pandazopoulos

NOES, 51

Mr Ashley	Mr Kilgour	Mr Perton	Mr Steggall
Mr Bildstien	Mr Leigh	Mr Pescott	Mr Tanner
Mr Brown	Mr Lupton	Mrs Peulich	Mrs Tehan
Mr Coleman	Mr McArthur	Mr Phillips	Mr Thompson
Mr Cooper	Mrs McGill	Mr Plowman	<i>(Sandringham)</i>
Mr Davis	Mr McGrath	<i>(Benambra)</i>	Mr Traynor
Dr Dean	<i>(Warrnambool)</i>	Mr Plowman	Mr Turner
Mr Doyle	Mr McGrath	<i>(Evelyn)</i>	Mrs Wade
Mr Elder	<i>(Wimmera)</i>	Mr Richardson	Mr Weideman
Mrs Elliott	Mr McLellan	Mr Rowe	Mr Wells
Mr Hayward	<i>(Frankston East)</i>	Mr Ryan	
Mrs Henderson	Mr Maclellan	Mr Smith	
Mr Honeywood	<i>(Pakenham)</i>	<i>(Glen Waverley)</i>	
Mr Jasper	Mr Maughan	Mr Smith	<i>Tellers</i>
Mr Jenkins	Dr Napthine	<i>(Polwarth)</i>	Mr Hyams
Mr John	Mr Paterson	Mr Spry	Mr Treasure

And so it passed in the negative.

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

- 12 **QUESTIONS** - (Pursuant to Standing Order No. 124).
- 13 **FORESTRY RIGHTS BILL** - Mr Coleman, after debate, obtained leave, with Mr McGrath (*Wimmera*), to bring in a Bill "to provide for the creation of forest property rights and for other purposes"; and the said Bill was read a first time, ordered to be printed and read a second time tomorrow.
- 14 **POSTPONEMENT OF ORDERS OF THE DAY** - Ordered - That the consideration of Orders of the Day, Government Business, Nos. 1 to 8 inclusive, be postponed until later this day.
- 15 **LIQUOR CONTROL (LICENCES AND PERMITS) BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Heffernan*) - and, after debate. Motion made and question - That the debate be now adjourned (*Mr McGrath, Wimmera*) - put. The House divided.

AYES, 56

Mr Ashley	Mr Kilgour	Mr Perton	Mr Tanner
Mr Bildstien	Mr Leigh	Mr Pescott	Mrs Tehan
Mr Brown	Mr Lupton	Mrs Peulich	Mr Thompson
Mr Coleman	Mr McArthur	Mr Phillips	(<i>Sandringham</i>)
Mr Cooper	Mrs McGill	Mr Plowman	Mr Traynor
Mr Davis	Mr McGrath	(<i>Benambra</i>)	Mr Treasure
Dr Dean	(<i>Warrnambool</i>)	Mr Plowman	Mrs Wade
Mr Doyle	Mr McGrath	(<i>Evelyn</i>)	Mr Weideman
Mr Elder	(<i>Wimmera</i>)	Mr Reynolds	Mr Wells
Mrs Elliott	Mr McLellan	Mr Richardson	
Mr Hayward	(<i>Frankston East</i>)	Mr Rowe	
Mr Heffernan	Mr McNamara	Mr Ryan	
Mrs Henderson	Mr Maclellan	Mr Smith	
Mr Honeywood	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	
Mr Hyams	Mr Maughan	Mr Smith	
Mr Jenkins	Dr Napthine	(<i>Polwarth</i>)	Tellers
Mr John	Mr Paterson	Mr Steggall	Mr Spry
Mr Kennett	Mr Perrin	Mr Stockdale	Mr Turner

NOES, 24

Mr Batchelor	Mr Haermeyer	Mr Sandon	Dr Vaughan
Mr Bracks	Mr Hamilton	Mr Seitz	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Sercombe	
Mr Carli	Mr Loney	Mr Sheehan	
Mr Cunningham	Ms Marple	Mr Thomson	Tellers
Mr Dollis	Mr Micallef	(<i>Pascoe Vale</i>)	Mr Andrianopoulos
Ms Garbutt	Mr Mildenhall	Mr Thwaites	Mr Pandazopoulos

And so it was resolved in the affirmative.

Motion made and question proposed - That the debate be adjourned until tomorrow (*Mr Heffernan*).

Amendment proposed - That the word "tomorrow" be omitted with the view of inserting in place thereof the expression "9.00 p.m. this day" (*Mr Leighton*) - and, after debate.

Motion made and question - That the question be now put (*Mr McGrath, Wimmera*) - put.

The House divided.

AYES, 52

Mr Ashley	Mr Jenkins	Mr Paterson	Mr Steggall
Mr Bildstien	Mr Kennett	Mr Perrin	Mr Stockdale
Mr Brown	Mr Kilgour	Mr Perton	Mr Tanner
Mr Coleman	Mr Leigh	Mr Pescott	Mrs Tehan
Mr Cooper	Mr McArthur	Mrs Peulich	Mr Thompson
Mr Davis	Mrs McGill	Mr Phillips	(Sandringham)
Dr Dean	Mr McGrath	Mr Plowman	Mr Traynor
Mr Doyle	(Warrnambool)	(Benambra)	Mr Treasure
Mr Elder	Mr McGrath	Mr Reynolds	Mr Turner
Mrs Elliott	(Wimmera)	Mr Richardson	Mrs Wade
Mr Hayward	Mr McLellan	Mr Rowe	Mr Weideman
Mr Heffernan	(Frankston East)	Mr Ryan	
Mrs Henderson	Mr McNamara	Mr Smith	Tellers
Mr Honeywood	Mr Maughan	(Glen Waverley)	Mr Lupton
Mr Hyams	Dr Napthine	Mr Spry	Mr Wells

NOES, 25

Mr Batchelor	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Bracks	Mr Haermeyer	Mr Sandon	Dr Vaughan
Mr Brumby	Mr Hamilton	Mr Seitz	Mrs Wilson
Mr Carli	Mr Leighton	Mr Sercombe	
Mr Cole	Mr Loney	Mr Sheehan	Tellers
Mr Cunningham	Ms Marple	Mr Thomson	Mr Andrianopoulos
Mr Dollis	Mr Micallef	(Pascoe Vale)	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

The House divided.

AYES, 52

Mr Bildstien	Mr Kilgour	Mr Perton	Mr Thompson
Mr Brown	Mr Leigh	Mr Pescott	(Sandringham)
Mr Coleman	Mr Lupton	Mrs Peulich	Mr Traynor
Mr Cooper	Mr McArthur	Mr Phillips	Mr Treasure
Mr Davis	Mrs McGill	Mr Plowman	Mr Turner
Dr Dean	Mr McGrath	(Benambra)	Mrs Wade
Mr Doyle	(Warrnambool)	Mr Reynolds	Mr Weideman
Mr Elder	Mr McGrath	Mr Richardson	Mr Wells
Mrs Elliott	(Wimmera)	Mr Ryan	
Mr Hayward	Mr McLellan	Mr Smith	
Mr Heffernan	(Frankston East)	(Glen Waverley)	
Mrs Henderson	Mr McNamara	Mr Spry	
Mr Honeywood	Mr Maughan	Mr Steggall	Tellers
Mr Hyams	Dr Napthine	Mr Stockdale	Mr Ashley
Mr Jenkins	Mr Paterson	Mr Tanner	Mr Rowe
Mr Kennett	Mr Perrin	Mrs Tehan	

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Batchelor	Mr Haermeyer	Mr Sandon	Dr Vaughan
Mr Bracks	Mr Hamilton	Mr Seitz	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Sercombe	
Mr Cole	Mr Loney	Mr Sheehan	<i>Tellers:</i>
Mr Cunningham	Ms Marple	Mr Thomson	Mr Carli
Mr Dollis	Mr Micallef	(<i>Pascoe Vale</i>)	Mr Pandazopoulos

And so it was resolved in the affirmative.

Question - That the debate be adjourned until tomorrow - put.

The House divided.

AYES, 52

Mr Ashley	Mr Jenkins	Dr Napthine	Mr Spry
Mr Bildstien	Mr Kennett	Mr Paterson	Mr Steggall
Mr Brown	Mr Kilgour	Mr Perrin	Mr Stockdale
Mr Coleman	Mr Leigh	Mr Perton	Mr Tanner
Mr Cooper	Mr Lupton	Mr Pescott	Mrs Tehan
Mr Davis	Mr McArthur	Mrs Peulich	Mr Treasure
Dr Dean	Mrs McGill	Mr Phillips	Mr Turner
Mr Doyle	Mr McGrath	Mr Plowman	Mrs Wade
Mr Elder	(<i>Warrnambool</i>)	(<i>Benambra</i>)	Mr Weideman
Mrs Elliott	Mr McGrath	Mr Reynolds	Mr Wells
Mr Hayward	(<i>Wimmera</i>)	Mr Richardson	
Mr Heffernan	Mr McLellan	Mr Rowe	<i>Tellers</i>
Mrs Henderson	(<i>Frankston East</i>)	Mr Ryan	Mr Thompson
Mr Honeywood	Mr McNamara	Mr Smith	(<i>Sandringham</i>)
Mr Hyams	Mr Maughan	(<i>Glen Waverley</i>)	Mr Traynor

NOES, 25

Mr Andrianopoulos	Mr Haermeyer	Mr Sandon	
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Sercombe	
Mr Brumby	Mr Loney	Mr Sheehan	
Mr Carli	Ms Marple	Mr Thomson	
Mr Cole	Mr Micallef	(<i>Pascoe Vale</i>)	<i>Tellers</i>
Mr Dollis	Mr Mildenhall	Mr Thwaites	Mr Cunningham
Ms Garbutt	Mr Pandazopoulos	Mrs Wilson	Dr Vaughan

And so it was resolved in the affirmative.

- 16 **THE CONSTITUTION ACT AMENDMENT (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr McGrath (*Wimmera*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to provide for proposals to strengthen Parliamentary democracy and entrench fundamental democratic rights in the Victorian Constitution" (*Mr Brumby*).

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

- 17 **ADJOURNMENT** - Mr Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.57 p.m.

PHILIP J. MITHEN
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

No. 85 - Thursday, 23 November 1995

- 1 Mr Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** - The Clerk announced that the following petitions had been lodged for presentation:
- Sale of Public Utilities** - Seeking that the Government immediately put in place - (a) a moratorium on the sale of the SECV, Melbourne Water, and the Gas & Fuel; (b) an independent public inquiry into the alleged benefits and disadvantages of selling off these utilities; and (c) a referendum for all Victorian citizens, bearing 257 signatures (*by Mr Thomson, Pascoe Vale*)
- Tullamarine Freeway Toll - Decision Reversal** - Seeking that the House support the reversal of the decision to impose tolls on the Tullamarine Freeway, bearing 503 signatures (*by Mr Thomson, Pascoe Vale*).
- Severally ordered to lie on the Table.
- 3 **SOLICITORS' GUARANTEE FUND** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Solicitors' Guarantee Fund for the year 1994-95 (*Mrs Wade*) - put and agreed to.
- 4 **PAPER** - Mrs Wade presented:
- Solicitors' Guarantee Fund - Report for the year 1994-95 - Return to the foregoing Order.
- Ordered to lie on the Table.
- 5 **VICTORIA WOMEN'S BUDGET** - Motion made, by leave, and question - That there be presented to this House a copy of the Report of the Victoria Women's Budget for the year 1995-96 (*Mrs Wade*) - put and agreed to.
- 6 **PAPER** - Mrs Wade presented:
- Victoria Women's Budget - Report for the year 1995-96 - Return to the foregoing Order.
- Ordered to lie on the Table.

- 7 **CLIENT DEATHS, PROTECTION AND CARE** - Motion made, by leave, and question - That there be presented to this House a copy of the Report entitled *Inquiries into Client Deaths, Protection and Care, Annual Report 1995 (Mr John)* - put and agreed to.
- 8 **PAPER** - Mr John presented:
 Inquiries into Client Deaths, Protection and Care - Report, 1995 - Return to the foregoing Order.
 Ordered to lie on the Table and to be printed.
- 9 **JURY SERVICE IN VICTORIA** - Motion made, by leave, and question - That there be presented to this House a copy of the Issues Paper No. 2 from the Law Reform Committee upon the Inquiry into Jury Service in Victoria (*Mr Cole*) - put and agreed to.
- 10 **PAPER** - Mr Cole presented:
 Issues Paper No. 2 from the Law Reform Committee upon the Inquiry into Jury Service in Victoria - Return to the foregoing Order.
 Ordered to lie on the Table.
- 11 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** - Mr Perton, Chairman, brought up the following Reports from the Scrutiny of Acts and Regulations Committee:
 Redundant and Unclear Legislation concerning the Review of the *Trade Unions Act 1958*, together with Appendices
 Second Report on Redundant and Unclear Legislation, together with Appendices.
 Severally ordered to lie on the Table and to be printed.
- 12 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** - Mr Weideman, Chairman, brought up the Final Report from the Public Accounts and Estimates Committee upon the 1994-95 Budget Estimates and Outcomes, together with Appendices.
 Ordered to lie on the Table and to be printed.
- 13 **LAW REFORM COMMITTEE** - Mr Cole brought up the Third Report from the Law Reform Committee upon the inquiry into the Law relating to Directors and Managers of Insolvent Corporations entitled 'Curbing the Phoenix Company', together with Appendices.
 Ordered to lie on the Table and to be printed.
- 14 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 Australian Barley Board - Report for the year 1994-95 (two papers)
 Conservation and Natural Resources Department - Report for the year 1994-95, together with errata
 Fair Trading - Report of the Office of Fair Trading and Business Affairs for the year 1994-95 - Ordered to be printed
 Freedom of Information Act 1982 - Report of the Attorney-General on the operation of the Act for the year 1994-95
 Members of Parliament (Register of Interests) Act 1978 - Summary of Variations notified between 1 October 1995 and 22 November 1995 - Ordered to be printed
 Murray Valley Citrus Marketing Board - Report for the year 1994-95

Police Board of Victoria - Report for the year 1994-95

Rural Finance Act 1988 - Direction by the Treasurer to the Rural Finance Corporation to establish, operate and administer a scheme of assistance for persons affected by the floods which occurred during the first week in November, 1995 in the Geelong and Gippsland districts.

State Electoral Office - Report for the year 1994-95

Tomato Industry Negotiating Committee - Report for the year 1994-95

Victorian Strawberry Industry Development Committee - Report for the year 1994-95.

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

Fisheries Bill (No. 2)

Land Revocations (And Other Matters) Bill.

- 16 **MESSAGE FROM HIS EXCELLENCY THE GOVERNOR** - Mr Speaker announced the presentation of a Message from His Excellency the Governor recommending an appropriation for the purposes of the Liquor Control (Licences and Permits) Bill.

- 17 **SUPERANNUATION ACTS (MISCELLANEOUS AMENDMENTS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Pursuant to Sessional Orders, Mr McGrath (*Wimmera*) announced that it was proposed to move amendments in Committee and requested that they be circulated. Amendments circulated.

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

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

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

- 18 **LIQUOR CONTROL (LICENCES AND PERMITS) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

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

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

- 19 **CASINO (MANAGEMENT AGREEMENT) (FURTHER AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time; debate resumed.

Amendment proposed - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until such time as there has been a full social and economic impact study into the effects of Crown Casino, the proposed expansion of the Casino and of gaming in Victoria generally and the report on such study has been made available for consideration by the Parliament" (*Mr Brumby*) - and, after debate.

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

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

- 21 **CASINO (MANAGEMENT AGREEMENT) (FURTHER AMENDMENT) BILL** - Debate continued on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until such time as there has been a full social and economic impact study into the effects of Crown Casino, the proposed expansion of the Casino and of gaming in Victoria generally and the report on such study has been made available for consideration by the Parliament".

Allocation of time - Mr Speaker advised that the time allocated for consideration of Bills pursuant to Resolution of House on Tuesday, 21 November 1995 had expired.

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

The House divided.

AYES, 55

Mr Ashley	Mr Kennett	Mr Perrin	Mr Steggall
Mr Bildstien	Mr Kilgour	Mr Perton	Mr Stockdale
Mr Brown	Mr Leigh	Mr Pescott	Mr Tanner
Mr Coleman	Mr Lupton	Mrs Feulich	Mrs Tehan
Mr Cooper	Mr McArthur	Mr Phillips	Mr Thompson
Dr Dean	Mrs McGill	Mr Plowman	(Sandringham)
Mr Doyle	Mr McGrath	(Benambra)	Mr Traynor
Mr Elder	(Warrnambool)	Mr Plowman	Mr Treasure
Mrs Elliott	Mr McGrath	(Evelyn)	Mr Turner
Mr Hayward	(Wimmera)	Mr Reynolds	Mrs Wade
Mr Heffernan	Mr McNamara	Mr Richardson	Mr Weideman
Mrs Henderson	Mr Maclellan	Mr Rowe	Mr Wells
Mr Honeywood	(Pakenham)	Mr Ryan	
Mr Hyams	Mr Maughan	Mr Smith	Tellers
Mr Jasper	Dr Napthine	(Glen Waverley)	Mr Davis
Mr John	Mr Paterson	Mr Spry	Mr Jenkins

NOES, 24

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Dr Vaughan
Mr Baker	Ms Garbutt	Mr Sandon	Mrs Wilson
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Sercombe	
Mr Brumby	Mr Loney	Mr Thomson	Tellers
Mr Cole	Ms Marple	(Pascoe Vale)	Mr Carli
Mr Cunningham	Mr Micallef	Mr Thwaites	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

The House divided.

AYES, 54

Mr Ashley	Mr John	Mr Paterson	Mr Steggall
Mr Bildstien	Mr Kennett	Mr Perrin	Mr Tanner
Mr Brown	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Coleman	Mr Leigh	Mr Pescott	Mr Thompson
Mr Cooper	Mr Lupton	Mrs Peulich	(Sandringham)
Mr Davis	Mr McArthur	Mr Phillips	Mr Traynor
Dr Dean	Mrs McGill	Mr Plowman	Mr Treasure
Mr Doyle	Mr McGrath	(Benambra)	Mr Turner
Mr Elder	(Warrnambool)	Mr Plowman	Mrs Wade
Mrs Elliott	Mr McGrath	(Evelyn)	Mr Weideman
Mr Hayward	(Wimmera)	Mr Reynolds	Mr Wells
Mr Heffernan	Mr McNamara	Mr Richardson	
Mrs Henderson	Mr Maclellan	Mr Rowe	
Mr Honeywood	(Pakenham)	Mr Smith	Tellers
Mr Jasper	Mr Maughan	(Glen Waverley)	Mr Hyams
Mr Jenkins	Dr Napthine	Mr Spry	Mr Ryan

NOES, 26

Mr Baker	Ms Garbutt	Mr Pandazopoulos	Mrs Wilson
Mr Batchelor	Mr Haermeyer	Mr Sandon	
Mr Bracks	Mr Hamilton	Mr Seitz	
Mr Brumby	Mr Leighton	Mr Sercombe	
Mr Carli	Mr Loney	Mr Thomson	
Dr Coghill	Ms Marple	(Pascoe Vale)	Tellers
Mr Cole	Mr Micallef	Mr Thwaites	Mr Andrianopoulos
Mr Dollis	Mr Mildenhall	Dr Vaughan	Mr Cunningham

And so it was resolved in the affirmative.

- 22 VALUATION OF LAND (FURTHER AMENDMENT) BILL - Order read for resuming debate on question - That this Bill be now read a second time.

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

The House divided.

AYES, 55

Mr Ashley	Mr Kennett	Mr Perrin	Mr Tanner
Mr Bildstien	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Brown	Mr Leigh	Mr Pescott	Mr Thompson
Mr Coleman	Mr Lupton	Mrs Peulich	(Sandringham)
Mr Cooper	Mr McArthur	Mr Phillips	Mr Traynor
Mr Davis	Mrs McGill	Mr Plowman	Mr Treasure
Dr Dean	Mr McGrath	(Benambra)	Mr Turner
Mr Elder	(Warrnambool)	Mr Plowman	Mrs Wade
Mrs Elliott	Mr McGrath	(Evelyn)	Mr Weideman
Mr Hayward	(Wimmera)	Mr Reynolds	Mr Wells
Mr Heffernan	Mr McLellan	Mr Richardson	
Mrs Henderson	(Frankston East)	Mr Rowe	
Mr Honeywood	Mr McNamara	Mr Ryan	
Mr Hyams	Mr Maclellan	Mr Smith	
Mr Jasper	(Pakenham)	(Glen Waverley)	Tellers
Mr Jenkins	Mr Maughan	Mr Spry	Mr Doyle
Mr John	Dr Napthine	Mr Steggall	Mr Paterson

NOES, 26

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Sandon	
Mr Batchelor	Mr Haermeyer	Mr Seitz	
Mr Bracks	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Leighton	Mr Thomson	
Dr Coghill	Mr Loney	(Pascoe Vale)	Tellers
Mr Cole	Ms Marple	Mr Thwaites	Mr Carli
Mr Cunningham	Mr Micallef	Dr Vaughan	Mr Pandazopoulos

And so it was resolved in the affirmative.

23 **CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (ENFORCEMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time.

Question - That this Bill be now read a second time and a third time and that a Message be sent to the Legislative Council acquainting them that the Legislative Assembly has agreed to the Bill without amendment - put.

The House divided.

AYES, 54

Mr Ashley	Mr John	Mr Maughan	Mr Spry
Mr Bildstien	Mr Kennett	Dr Napthine	Mr Steggall
Mr Brown	Mr Kilgour	Mr Perrin	Mr Tanner
Mr Cooper	Mr Leigh	Mr Perton	Mrs Tehan
Mr Davis	Mr Lupton	Mr Pescott	Mr Thompson
Dr Dean	Mr McArthur	Mrs Peulich	(Sandringham)
Mr Doyle	Mrs McGill	Mr Plowman	Mr Traynor
Mr Elder	Mr McGrath	(Benambra)	Mr Treasure
Mrs Elliott	(Warrnambool)	Mr Plowman	Mr Turner
Mr Hayward	Mr McGrath	(Evelyn)	Mrs Wade
Mr Heffernan	(Wimmera)	Mr Reynolds	Mr Weideman
Mrs Henderson	Mr McLellan	Mr Richardson	Mr Wells
Mr Honeywood	(Frankston East)	Mr Rowe	
Mr Hyams	Mr McNamara	Mr Ryan	Tellers
Mr Jasper	Mr Maclellan	Mr Smith	Mr Paterson
Mr Jenkins	(Pakenham)	(Glen Waverley)	Mr Phillips

NOES, 26

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Sandon	
Mr Batchelor	Mr Haermeyer	Mr Seitz	
Mr Bracks	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Leighton	Mr Thomson	
Dr Coghill	Mr Loney	(Pascoe Vale)	Tellers
Mr Cole	Ms Marple	Mr Thwaites	Mr Carli
Mr Cunningham	Mr Micallef	Dr Vaughan	Mr Pandazopoulos

And so it was resolved in the affirmative.

- 24 **MENTAL HEALTH (AMENDMENT) BILL** - Order read for the consideration of the amendments made by the Legislative Council.

And the said amendments were read a second time and agreed to by the House.

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

- 25 **TRUSTEE AND TRUSTEE COMPANIES (AMENDMENT) BILL** - Order read for the consideration of the amendment made by the Legislative Council.

And the said amendment was read a second time and agreed to by the House.

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

- 26 **MELBOURNE CITY LINK BILL** - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this House refuses to read this Bill a second time until such time as the Auditor-General has made a full and comprehensive report to the Parliament in relation to the City Link contract and associated legislation including - (a) a full cost benefit analysis of the City Link project, which would encompass - (i) the valuation of any government resources to be committed to the project, including the value of any land assets; (ii) detailed economic and financial analysis of the

project, including appropriate assessments of the costs and benefits of alternate options for financing; (iii) analysis of economic costs and benefits to flow from the project; (iv) year on year assessment of costs to Government and Victorian taxpayers over the life of the project; (v) an assessment of environmental costs and benefits (including social costs and benefits); and (vi) identification up front of costs which are not expected to be recovered; (b) a full performance audit; (c) a risk management assessment; (d) an analysis of whether variations in the contract may be made by future governments and the cost to taxpayers of any such variations; (e) an analysis of the nature and extent of contingent liabilities which arise under this project; (f) an analysis of the Base Case Financial Model and the Base Traffic Model; and (g) any other relevant matters”.

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

The House divided.

AYES, 55

Mr Ashley	Mr Kennett	Mr Perrin	Mr Tanner
Mr Bildstien	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Brown	Mr Leigh	Mr Pescott	Mr Thompson
Mr Coleman	Mr Lupton	Mrs Peulich	(Sandringham)
Mr Cooper	Mrs McGill	Mr Phillips	Mr Traynor
Mr Davis	Mr McGrath	Mr Plowman	Mr Treasurer
Dr Dean	(Warrnambool)	(Benambra)	Mr Turner
Mr Doyle	Mr McGrath	Mr Plowman	Mrs Wade
Mr Elder	(Wimmera)	(Evelyn)	Mr Weideman
Mr Hayward	Mr McLellan	Mr Reynolds	Mr Wells
Mr Heffernan	(Frankston East)	Mr Richardson	
Mrs Henderson	Mr McNamara	Mr Rowe	
Mr Honeywood	Mr Maclellan	Mr Ryan	
Mr Hyams	(Pakenham)	Mr Smith	
Mr Jasper	Mr Maughan	(Glen Waverley)	Tellers
Mr Jenkins	Dr Napthine	Mr Spry	Mrs Elliott
Mr John	Mr Paterson	Mr Steggall	Mr McArthur

NOES, 26

Mr Andrianopoulos	Mr Dollis	Mr Mildenhall	Mrs Wilson
Mr Baker	Ms Garbutt	Mr Sandon	
Mr Batchelor	Mr Haermeyer	Mr Seitz	
Mr Bracks	Mr Hamilton	Mr Sercombe	
Mr Brumby	Mr Leighton	Mr Thomson	
Dr Coghill	Mr Loney	(Pascoe Vale)	Tellers
Mr Cole	Ms Marple	Mr Thwaites	Mr Carli
Mr Cunningham	Mr Micallef	Dr Vaughan	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

The House divided.

AYES, 56

Mr Ashley	Mr John	Dr Napthine	Mr Steggall
Mr Bildstien	Mr Kennett	Mr Paterson	Mr Stockdale
Mr Brown	Mr Kilgour	Mr Perrin	Mr Tanner
Mr Coleman	Mr Leigh	Mr Perton	Mrs Tehan
Mr Cooper	Mr Lupton	Mr Pescott	Mr Thompson
Mr Davis	Mr McArthur	Mrs Peulich	(<i>Sandringham</i>)
Dr Dean	Mrs McGill	Mr Phillips	Mr Traynor
Mr Doyle	Mr McGrath	Mr Plowman	Mr Turner
Mr Elder	(<i>Warrnambool</i>)	(<i>Benambra</i>)	Mrs Wade
Mrs Elliott	Mr McGrath	Mr Plowman	Mr Weideman
Mr Hayward	(<i>Wimmera</i>)	(<i>Evelyn</i>)	Mr Wells
Mr Heffernan	Mr McLellan	Mr Reynolds	
Mrs Henderson	(<i>Frankston East</i>)	Mr Richardson	
Mr Honeywood	Mr McNamara	Mr Ryan	
Mr Hyams	Mr Maclellan	Mr Smith	<i>Tellers</i>
Mr Jasper	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	Mr Rowe
Mr Jenkins	Mr Maughan	Mr Spry	Mr Treasure

NOES, 26

Mr Baker	Mr Dollis	Mr Mildenhall	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Sandon	
Mr Bracks	Mr Haermeyer	Mr Seitz	
Mr Brumby	Mr Hamilton	Mr Sercombe	
Mr Carli	Mr Leighton	Mr Thomson	
Dr Coghill	Mr Loney	(<i>Pascoe Vale</i>)	<i>Tellers</i>
Mr Cole	Ms Marple	Mr Thwaites	Mr Andrianopoulos
Mr Cunningham	Mr Micallef	Dr Vaughan	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

Question - That Government amendments Nos. 1 to 12 be agreed to - put.

The House divided

AYES, 56

Mr Ashley	Mr John	Dr Napthine	Mr Steggall
Mr Bildstien	Mr Kennett	Mr Paterson	Mr Stockdale
Mr Brown	Mr Kilgour	Mr Perrin	Mr Tanner
Mr Coleman	Mr Leigh	Mr Perton	Mrs Tehan
Mr Cooper	Mr Lupton	Mr Pescott	Mr Thompson
Mr Davis	Mr McArthur	Mrs Peulich	(Sandringham)
Dr Dean	Mrs McGill	Mr Phillips	Mr Treasure
Mr Doyle	Mr McGrath	Mr Plowman	Mr Turner
Mr Elder	(Warrnambool)	(Benambra)	Mrs Wade
Mrs Elliott	Mr McGrath	Mr Plowman	Mr Weideman
Mr Hayward	(Wimmera)	(Evelyn)	Mr Wells
Mr Heffernan	Mr McLellan	Mr Reynolds	
Mrs Henderson	(Frankston East)	Mr Richardson	
Mr Honeywood	Mr McNamara	Mr Rowe	Tellers
Mr Hyams	Mr Maclellan	Mr Ryan	Mr Spry
Mr Jasper	(Pakenham)	Mr Smith	Mr Traynor
Mr Jenkins	Mr Maughan	(Glen Waverley)	

NOES, 26

Mr Andrianopoulos	Ms Garbutt	Mr Pandazopoulos	Mrs Wilson
Mr Baker	Mr Haermeyer	Mr Sandon	
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Sercombe	
Mr Brumby	Mr Loney	Mr Thomson	
Dr Coghill	Ms Marple	(Pascoe Vale)	Tellers
Mr Cole	Mr Micallef	Mr Thwaites	Mr Carli
Mr Dollis	Mr Mildenhall	Dr Vaughan	Mr Cunningham

And so it was resolved in the affirmative.

Question - That this Bill be now read a third time - put.

The House divided.

AYES, 55

Mr Ashley	Mr John	Mr Perton	Mr Tanner
Mr Bildstien	Mr Kilgour	Mr Pescott	Mrs Tehan
Mr Brown	Mr Leigh	Mrs Peulich	Mr Thompson
Mr Coleman	Mrs McGill	Mr Phillips	(Sandringham)
Mr Cooper	Mr McGrath	Mr Plowman	Mr Traynor
Mr Davis	(Warrnambool)	(Benambra)	Mr Treasure
Dr Dean	Mr McGrath	Mr Plowman	Mr Turner
Mr Doyle	(Wimmera)	(Evelyn)	Mrs Wade
Mr Elder	Mr McLellan	Mr Reynolds	Mr Weideman
Mrs Elliott	(Frankston East)	Mr Richardson	Mr Wells
Mr Hayward	Mr McNamara	Mr Rowe	
Mr Heffernan	Mr Maclellan	Mr Ryan	
Mrs Henderson	(Pakenham)	Mr Smith	
Mr Honeywood	Mr Maughan	(Glen Waverley)	
Mr Hyams	Dr Napthine	Mr Spry	Tellers
Mr Jasper	Mr Paterson	Mr Steggall	Mr Lupton
Mr Jenkins	Mr Perrin	Mr Stockdale	Mr McArthur

NOES, 26

Mr Baker	Mr Dollis	Mr Mildenhall	Mrs Wilson
Mr Batchelor	Ms Garbutt	Mr Sandon	
Mr Bracks	Mr Haermeyer	Mr Seitz	
Mr Brumby	Mr Hamilton	Mr Sercombe	
Mr Carli	Mr Leighton	Mr Thomson	
Dr Coghill	Mr Loney	(Pascoe Vale)	Tellers
Mr Cole	Ms Marple	Mr Thwaites	Mr Andrianopoulos
Mr Cunningham	Mr Micallef	Dr Vaughan	Mr Pandazopoulos

And so it was resolved in the affirmative.

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

Question - That the Bill be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

- 27 **THE CONSTITUTION ACT AMENDMENT (AMENDMENT) BILL** - Order read for resuming debate on question - That this Bill be now read a second time - *and on the amendment* - That all the words after "That" be omitted with the view of inserting in place thereof the words "this Bill be withdrawn and redrafted to provide for proposals to strengthen Parliamentary democracy and entrench fundamental democratic rights in the Victorian Constitution".

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

The House divided.

AYES, 56

Mr Ashley	Mr John	Mr Paterson	Mr Stockdale
Mr Bildstien	Mr Kennett	Mr Perrin	Mr Tanner
Mr Brown	Mr Kilgour	Mr Perton	Mrs Tehan
Mr Coleman	Mr Leigh	Mr Pescott	Mr Thompson
Mr Cooper	Mr Lupton	Mr Phillips	(Sandringham)
Mr Davis	Mr McArthur	Mr Plowman	Mr Traynor
Dr Dean	Mr McGrath	(Benambra)	Mr Treasure
Mr Doyle	(Warrnambool)	Mr Plowman	Mr Turner
Mr Elder	Mr McGrath	(Evelyn)	Mrs Wade
Mrs Elliott	(Wimmera)	Mr Reynolds	Mr Weideman
Mr Hayward	Mr McLellan	Mr Richardson	Mr Wells
Mr Heffernan	(Frankston East)	Mr Rowe	
Mrs Henderson	Mr McNamara	Mr Ryan	
Mr Honeywood	Mr Maclellan	Mr Smith	
Mr Hyams	(Pakenham)	(Glen Waverley)	Tellers
Mr Jasper	Mr Maughan	Mr Spry	Mrs McGill
Mr Jenkins	Dr Napthine	Mr Steggall	Mrs Peulich

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Pandazopoulos	
Mr Baker	Mr Haermeyer	Mr Sandon	
Mr Batchelor	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Sercombe	
Mr Brumby	Mr Loney	Mr Thomson	
Dr Coghill	Ms Marple	(Pascoe Vale)	
Mr Cole	Mr Micallef	Dr Vaughan	Tellers
Mr Dollis	Mr Mildenhall	Mrs Wilson	Mr Carli
			Mr Cunningham

And so it was resolved in the affirmative.

Question - That this Bill be read now a second time, Government amendments 1 and 2 be agreed to, the Bill be now read a third time and be transmitted to the Legislative Council and their concurrence desired therein - put and agreed to.

28 **FORESTRY RIGHTS BILL** - Motion made and question proposed - That this Bill be now read a second time (*Mr Coleman*).

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

Ordered - That the debate be adjourned until Thursday, 7 December 1995.

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

Domestic Building Contracts and Tribunal Bill
Legal Profession Practice (Amendment) Bill.

- 30 **MELBOURNE CITY LINK BILL - CLERK'S CORRECTIONS** - Mr Speaker announced that he had received a report from the Clerk that he had made the following corrections in this Bill.
- In Schedule 1, page 107, in the definition of Environment Protection Act, he de-bolded "Environment Protection Act 1970".
 - In Schedule 1, page 117, in the definition of Plant, he changed "machineryand" to read "machinery and".
 - In Schedule 1, clause 2.4 (a) (i), page 141, he re-aligned the two lines directly before sub-sub-paragraph (E).
 - In Schedule 1, clause 2.7 (d) (ii), page 151, he de-bolded "Income Tax Assessment Act 1936".
 - In Schedule 1, clause 2.7 (d) (iii), page 151, he de-bolded "Income Tax Assessment Act 1936".
 - In Schedule 1, clause 13.8 (a), page 246, he re-aligned the six lines directly following sub-sub-paragraph (D).
 - In Schedule 1, Schedule 3 of the original agreement, clause 1, pages 287-8, he omitted the quotation marks from all bolded definitions in the clause.
 - In Schedule 1, Schedule 3 of the original agreement, clause 2.5, page 290, he inserted a comma after "March".
 - In Schedule 1, Schedule 4 of the original agreement, page 294, he put into capitals the bolded headings of the Schedule.
- 31 **PAPERS** - The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Chief Electrical Inspector - Report of the Office for the year 1994-95
 - Daratech Pty Ltd - Report for the year 1994-95
 - Gas and Fuel Superannuation Fund - Report for the year 1994-95.
- 32 **SITTING OF THE HOUSE** - Motion made and question - That the House, at its rising, adjourn until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified in writing to each Member of the House (*Mr McGrath, Wimmera*) - put, after debate and agreed to.
- 33 **POSTPONEMENT OF REMAINING BUSINESS** - Motion made and question - That the consideration of remaining business be postponed (*Mr Maclellan, Pakenham*) - put and agreed to.
- 34 **ADJOURNMENT** - Resolved, after debate - That the House do now adjourn.
- And the House, at 7.31 p.m., adjourned until a day and hour to be fixed by Mr Speaker, which time of meeting shall be notified in writing to each Member of the House.

PHILIP J. MITHEN
Clerk of the Legislative Assembly

JOHN E. DELZOPPO
Speaker

SESSION 1994-96
MESSAGES RECEIVED AFTER THE ADJOURNMENT OF
THE HOUSE ON 23 NOVEMBER 1995

MESSAGES FROM THE LEGISLATIVE COUNCIL

Agreeing to the following Bills without amendment:-

On 23 November 1995 -

Miscellaneous Acts (Omnibus Amendments) Bill
 Miscellaneous Acts (Health and Justice) Amendment Bill
 Carlton (Recreation Ground) Land (Amendment) Bill
 Valuation of Land (Further Amendment) Bill
 Heritage Bill

On 24 November 1995 -

Liquor Control (Further Amendment) Bill

On 28 November 1995 -

Australian Grand Prix (Further Amendment) Bill
 Casino (Management Agreement) (Further Amendment) Bill
 Superannuation Acts (Miscellaneous Amendments) Bill

On 29 November 1995 -

The Constitution Act Amendment (Amendment) Bill
 Liquor Control (Licences and Permits) Bill

On 1 December 1995 -

Melbourne City Link Bill

MESSAGES FROM HIS EXCELLENCY THE GOVERNOR

Informing the Assembly that he had given the Royal Assent to the following Bills, presented to him by the Clerk of the Parliaments:-

On 28 November 1995

Dangerous Goods (Amendment) Bill
 Electricity Industry (Further Amendment) Bill (No.2)
 Gas Industry (Extension of Supply) Bill
 Marcus Oldham College Bill
 Port Services Bill
 Racing (Amendment) Bill
 Road Transport (Dangerous Goods) Bill
 Vocational Education and Training (Amendment) Bill
 Water (Further Amendment) Bill

On 5 December 1995

Australian Grand Prix (Further Amendment) Bill
 Carlton (Recreation Ground) Land (Amendment) Bill

Casino (Management Agreement) (Further Amendment) Bill
Classification (Publications, Films and Computer Games) (Enforcement) Bill
Domestic Building Contracts and Tribunal Bill
Fisheries Bill (No.2)
Heritage Bill
Land Revocations (And Other Matters) Bill
Legal Profession Practice (Amendment) Bill
Liquor Control (Further Amendment) Bill
Liquor Control (Licences and Permits) Bill
Mental Health (Amendment) Bill
Miscellaneous Acts (Health and Justice) Amendment Bill
Miscellaneous Acts (Omnibus Amendments) Bill
State Taxation (Further Amendment) Bill
Superannuation Acts (Miscellaneous Amendments) Bill
The Constitution Act Amendment (Amendment) Bill
Trustee and Trustee Companies (Amendment) Bill
Valuation of Land (Further Amendment) Bill
Zoological Parks and Gardens Bill

On 12 December 1995

Melbourne City Link Bill.



Victoria Government Gazette

No. S 17 Tuesday 5 March 1996

By Authority, Victorian Government Printer

SPECIAL

PROCLAMATION

I, Richard E. McGarvie, AC, Governor of the State of Victoria, acting under sections 8 (1), 8 (2) and 8 (3) of the **Constitution Act 1975** and all other powers vested in me, **PROROGUE** the Legislative Council and **DISSOLVE** the Legislative Assembly forthwith.

I have today ordered that the Writs be issued according to law for a general election of Members to be returned to serve in the Legislative Assembly and for a periodical election of Members to be returned to serve in the Legislative Council

Given under my Hand and the Seal of the State of Victoria, at Melbourne, this 5th day of March 1996

(L.S.) R. E. McGARVIE
By His Excellency's Command

JEFF KENNETT
Premier

SIMULTANEOUS ELECTION

Notice is hereby given that His Excellency the Governor will issue Writs for a General Election of Members to serve in the Legislative Assembly of Victoria, and for the Periodical Election of Members to serve in the Legislative Council of Victoria, as follows:

Date for the Issue of Writs	Tuesday, 5 March 1996
Date for the Close of the, Rolls	Friday, 8 March 1996
Date of Nomination (before Friday, or day on which nominations are to be made)	15 March 1996
Day of Polling	Saturday, 30 March 1996
Return of Writs	On or before Friday, 19 April 1996

By His Excellency's Command
KATHY WILSON
Clerk of the Executive Council

COMMITTEES**SESSION 1994-96**

Members appointed at the same time as the Committee unless otherwise indicated

COMMUNITY DEVELOPMENT (JOINT)

*(Appointed 17 November 1992) **

Mrs Elliott
Ms Garbutt
Mr Leigh
Mr Maughan
Mr Micallef
Mrs Peulich

CRIME PREVENTION (JOINT)

*(Appointed 17 November 1992) **

Mr Doyle
Mr Haemeyer *(Appointed 4 October 1994)*
Mr Kilgour
Mr Lupton
Mr Rowe
Mr Sandon *(Discharged 4 October 1994)*
Mr Sercombe *(Retired as Member of Parliament 5 February 1996)*
Mrs Wilson

ECONOMIC DEVELOPMENT (JOINT)

*(Appointed 17 November 1992) **

Mr Ashley
Mr Batchelor
Mr Kennan *(Discharged 21 April 1993)*
Mr Leighton
Mr Mildenhall *(Appointed 27 May 1994)*
Mr Treasure

* *The resolution of 14 November 1992 appointed Members contingent on the coming into operation of the Parliament Committees (Amendment) Act 1992. Operative date of this Act was 17 November 1992.*

ENVIRONMENT AND NATURAL RESOURCES (JOINT)*(Appointed 17 November 1992) **

Ms Marple
Mr Pandazopoulos
Mr Perrin

HOUSE (JOINT)*(Appointed 18 October 1994)*

Mr Speaker (*ex-officio*)
Dr Coghill
Mr Dollis
Mr McGrath (*Warrnambool*)
Mrs Peulich
Mr Weideman

LAW REFORM (JOINT)*(Appointed 17 November 1992) **

Mr Cole
Dr Dean
Mr Loney
Mr Ryan
Dr Vaughan
Mr Wells

LIBRARY (JOINT)*(Appointed 18 October 1994)*

Mr Speaker
Mr Baker
Mr Batchelor
Mrs Peulich
Mr Treasure

PRINTING (JOINT)*(Appointed 18 October 1994)*

Mr Speaker
Dr Coghill
Mr Maughan
Mr Richardson

PRIVILEGES*(Appointed 18 October 1994)*

Mr Cooper
Mr Micallef
Mr Perton
Mr Ryan
Mr Sheehan
Mr Smith (*Glen Waverley*)
Mr Thomson (*Pascoe Vale*) (*Retired as Member of Parliament 5 February 1996*)
Mr Thwaites
Mr Weideman

PUBLIC ACCOUNTS AND ESTIMATES (JOINT)*(Appointed 17 November 1992)**

Mr Baker
Mr Hyams
Mr Plowman (*Benambra*)
Mr Smith (*Glen Waverley*)
Mr Thomson (*Pascoe Vale*) (*Retired as Member of Parliament 5 February 1996*)
Mr Weideman

PUBLIC BODIES REVIEW (JOINT)*(Appointed 17 November 1992)**

Mr Andrianopoulos
Mr Cooper
Mr Dollis
Mr Haermeyer (*Discharged 4 October 1994*)
Mr Sandon (*Appointed 4 October 1994*)

ROAD SAFETY (JOINT)*(Appointed 17 November 1992)**

Mr Cunningham
Mr McLellan (*Frankston East*)
Mr Mildenhall (*Discharged 27 May 1994*)
Mr Richardson

SCRUTINY OF ACTS AND REGULATIONS (JOINT)*(Appointed 17 November 1992)**Mr Carli *(Appointed 27 May 1994)*

Dr Coghill

Mr Jasper

Mr Perton

Mr Roper *(Retired as Member of Parliament 31 March 1994)*Mr Thompson *(Sandringham)*

Mr Thwaites

STANDING ORDERS*(Appointed 18 October 1994)*

Mr Speaker

Dr Coghill

Mr Cunningham

Mr Jasper

Mr Leigh

Mr Richardson

Mr Seitz

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISION IN COMMITTEE OF THE WHOLE

No. 1

Friday, 7 October 1994

No. 1 AUSTRALIAN GRAND PRIX BILL - Clauses 1 to 53, Schedules 1 and 2 and Government Amendments 1 to 8.

Question - That the Clauses 1 to 53 inclusive, Government Amendments 1 to 8 inclusive and Schedules 1 and 2 stand part of the Bill and that the Bill be reported with amendments - put.

Committee divided.

(Chairman - Mr McGrath, *(Warrnambool)*)

AYES, 52

Mr Ashley	Mr John	Mr Pescott	Mr Steggall
Mr Bildstien	Mr Kilgour	Mrs Peulich	Mr Stockdale
Mr Brown	Mr Leigh	Mr Phillips	Mr Tanner
Mr Clark	Mr Lupton	Mr Plowman	Mrs Tehan
Mr Cooper	Mrs McGill	<i>(Benambra)</i>	Mr Thompson
Mr Davis	Mr McGrath	Mr Plowman	<i>(Sandringham)</i>
Mr Doyle	<i>(Wimmera)</i>	<i>(Evelyn)</i>	Mr Traynor
Mrs Elliott	Mr McLellan	Mr Reynolds	Mr Treasure
Mr Finn	<i>(Frankston East)</i>	Mr Richardson	Mr Turner
Mr Gude	Mr McNamara	Mr Rowe	Mr Weideman
Mr Hayward	Mr Maclellan	Mr Ryan	
Mr Heffeman	<i>(Pakenham)</i>	Mr Smith	
Mrs Henderson	Mr Maughan	<i>(Glen Waverley)</i>	
Mr Honeywood	Dr Napthine	Mr Smith	<i>Tellers</i>
Mr Hyams	Mr Paterson	<i>(Polwarth)</i>	Mr McArthur
Mr Jenkins	Mr Perrin	Mr Spry	Mr Wells

NOES, 21

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Hamilton	Mr Pandazopoulos	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Sandon	
Mr Cole	Mr Loney	Mr Seitz	<i>Tellers</i>
Mr Cunningham	Ms Marple	Mr Thomson	Mr Bracks
Mr Dollis	Mr Micallef	<i>(Pascoe Vale)</i>	Mr Carli

And so it was resolved in the affirmative.

By Authority L.V. North Government Printer Melbourne

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 2

Thursday, 20 October 1994

No. 1 ROYAL AGRICULTURAL SHOW-GROUNDS (AMENDMENT) BILL - Clause 5

5. *New sections 4, 5 and 6 inserted*

After section 3 of the Royal Agricultural Show-grounds Act 1931 insert -

"4. Application of planning schemes to Show-ground land

Section 46 of the Planning and Environment Act 1987 does not apply to those lands described in the First and Second Schedules to this Act that are not described in the Third and Fourth Schedules to this Act.

[Remainder of clause not printed]

(Mr McGrath, (Wimmera))

Amendment proposed - That the following words and expressions be inserted after proposed new section 4:

"4A. Royal Agricultural Society to consult persons affected

Before undertaking or staging any new event for the purpose of recreation, entertainment or amusement in respect of any year, the Royal Agricultural Society must -

- (a) take all reasonable steps to consult with any owner or occupier of land in the City of Essendon; and
- (b) consider any reasonable representations made by any such person."

(Ms Marple)

Question - That the words and expressions proposed to be inserted be so inserted - put.

Committee divided.

(Chairman - Mr McGrath, (*Warrnambool*))

AYES, 19

Mr Andrianopoulos
Mr Bracks
Mr Brumby
Mr Carli
Dr Coghill

Mr Cunningham
Mr Hamilton
Mr Leighton
Mr Loney
Ms Marple

Mr Micallef
Mr Mildenhall
Mr Seitz
Mr Sercombe
Mr Thomson
(*Pascoe Vale*)

Mr Thwaites
Mrs Wilson

Tellers
Mr Pandazopoulos
Dr Vaughan

NOES, 56

Mr Ashley
Mr Bildstien
Mr Brown
Mr Clark
Mr Coleman
Mr Cooper
Dr Dean
Mr Elder
Mrs Elliott
Mr Finn
Mr Gude
Mr Hayward
Mr Heffernan
Mr Honeywood
Mr Hyams
Mr Jasper
Mr Jenkins
Mr John

Mr Kennett
Mr Kilgour
Mr Leigh
Mr Lupton
Mr McArthur
Mrs McGill
Mr McGrath
(*Wimmera*)
Mr McLellan
(*Frankston East*)
Mr McNamara
Mr Maclellan
(*Pakenham*)
Mr Maughan
Dr Napthine
Mr Paterson
Mr Perrin
Mr Perton

Mrs Peulich
Mr Phillips
Mr Plowman
(*Benambra*)
Mr Plowman
(*Evelyn*)
Mr Reynolds
Mr Richardson
Mr Rowe
Mr Ryan
Mr Smith
(*Glen Waverley*)
Mr Smith
(*Polwarth*)
Mr Spry
Mr Steggall
Mr Stockdale
Mrs Tehan

Mr Thompson
(*Sandringham*)
Mr Traynor
Mr Treasure
Mr Turner
Mrs Wade
Mr Weideman
Mr Wells

Tellers
Mr Davis
Mr Doyle

And so it passed in the negative.

Friday, 21 October 1994

No. 2 FINANCIAL MANAGEMENT (AMENDMENT) BILL - Clause 2.

2. Commencement

This Act comes into operation on 1 January 1995.

(*Mr Smith (Polwarth)*)

Amendment proposed - That preceding "This Act" there be inserted the following sub-clause:

"(1) Section 7(6) is deemed to have come into operation on 10 May 1994."

(*Mr Smith (Polwarth)*)

Question - That the sub-clause proposed to be inserted be so inserted - put.

Committee divided.

(Acting Chairman - Dr Coghill)

AYES, 50

Mr Ashley	Mr Leigh	Mr Phillips	Mr Stockdale
Mr Brown	Mr Lupton	Mr Plowman	Mr Tanner
Mr Clark	Mr McArthur	(Benambra)	Mrs Tehan
Mr Cooper	Mrs McGill	Mr Plowman	Mr Traynor
Dr Dean	Mr McLellan	(Evelyn)	Mr Treasure
Mrs Elliott	(Frankston East)	Mr Reynolds	Mr Turner
Mr Finn	Mr McNamara	Mr Richardson	Mrs Wade
Mr Gude	Mr Maclellan	Mr Rowe	Mr Weideman
Mrs Henderson	(Pakenham)	Mr Ryan	Mr Wells
Mr Honeywood	Mr Maughan	Mr Smith	
Mr Hyams	Mr Paterson	(Glen Waverley)	
Mr Jasper	Mr Perrin	Mr Smith	Tellers
Mr Jenkins	Mr Perton	(Polwarth)	Mr Davis
Mr John	Mr Pescott	Mr Spry	Mr Thompson
Mr Kernett	Mrs Peulich	Mr Steggall	(Sandringham)

NOES, 19

Mr Andrianopoulos	Mr Hamilton	Mr Seitz	
Mr Baker	Mr Leighton	Mr Thomson	
Mr Batchelor	Ms Marple	(Pascoe Vale)	
Mr Bracks	Mr Micallef	Mr Thwaites	Tellers
Mr Brumby	Mr Mildenhall	Dr Vaughan	Mr Carli
Mr Cunningham	Mr Sandon	Mrs Wilson	Mr Pandazopoulos

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISION IN COMMITTEE OF THE WHOLE

No. 3

Wednesday, 9 November 1994

No. 1 TRANSPORT ACCIDENT (GENERAL AMENDMENT) BILL - Clause 5

5. *Meaning of "transport accident"*

- (1) In section 3(1) of the Principal Act, in the definition of "transport accident" omit ", or directly arising out of,".
- (2) After section 3(1) of the Principal Act insert—
 - "(1A) For the purposes of the definition of "transport accident" in section 3(1) an incident includes an incident—
 - (a) involving a motor vehicle, a railway train or a tram which is out of control;
 - (b) involving a collision between a pedal cycle and an open or opening door of a motor vehicle."

[Sub-clauses 3 and 4 not printed]

(Mr Stockdale)

Amendment proposed - That the following paragraph be inserted to proposed new section (1A) in sub-clause (2) —

- "(c) involving a pedal cyclist while travelling to or from his or her place of employment."

(Mr Brumby)

Question - That the paragraph proposed to be inserted be so inserted - put.

Committee divided.

(Acting Chairman - Mr Cooper)

AYES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Haermeyer	Mr Pandazopoulos	Dr Vaughan
Mr Batchelor	Mr Hamilton	Mr Sandon	Mrs Wilson
Mr Brumby	Mr Leighton	Mr Seitz	
Dr Coghill	Mr Loney	Mr Sercombe	<i>Tellers</i>
Mr Cunningham	Ms Marple	Mr Thomson	Mr Bracks
Mr Dollis	Mr Micallef	(<i>Pascoe Vale</i>)	Mr Carli

NOES, 55

Mr Ashley	Mr Kilgour	Mr Pescott	Mr Tanner
Mr Bildstien	Mr Leigh	Mrs Peulich	Mrs Tehan
Mr Brown	Mr Lupton	Mr Phillips	Mr Thompson
Mr Clark	Mr McArthur	Mr Plowman	(<i>Sandringham</i>)
Mr Coleman	Mrs McGill	(<i>Benambra</i>)	Mr Traynor
Dr Dean	Mr McGrath	Mr Plowman	Mr Treasure
Mr Doyle	(<i>Wimmera</i>)	(<i>Evelyn</i>)	Mr Turner
Mr Elder	Mr McLellan	Mr Reynolds	Mrs Wade
Mrs Elliott	(<i>Frankston East</i>)	Mr Richardson	Mr Weideman
Mr Finn	Mr McNamara	Mr Ryan	Mr Wells
Mr Hayward	Mr Maclellan	Mr Smith	
Mrs Henderson	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	
Mr Hyams	Mr Maughan	Mr Smith	
Mr Jasper	Dr Napthine	(<i>Polwarth</i>)	
Mr Jenkins	Mr Paterson	Mr Spry	<i>Tellers</i>
Mr John	Mr Perrin	Mr Steggall	Mr Davis
Mr Kennett	Mr Perton	Mr Stockdale	Mr Rowe

And so it passed in the negative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISION IN COMMITTEE OF THE WHOLE

No. 4

Thursday, 17 November 1994

No. 1 LOCAL GOVERNMENT (AMENDMENT) BILL - Clause 6.

6. Insertion of section 41A

After section 41 of the Local Government Act 1989 insert —

'41A. Election by postal voting

- (1) A Council may decide that all voting at an election is to be by means of postal voting.
- (2) If the Council makes such a decision, the returning officer must —
 - (a) state in the public notice of the election that all voting at the election is to be by postal voting; and
 - (b) send or deliver to each voter on the voters' roll who is entitled to vote at the election—
 - (i) a postal vote certificate or declaration;
 - (ii) a ballot paper for postal voting;
 - (iii) a prepaid envelope for the return of the certificate and ballot paper;
 - (iv) instructions on how to vote;
 - (v) notice of how and when the ballot paper must be returned by;
 - (vi) any document prescribed for the purposes of this paragraph;
 - (vii) any other material that the returning officer thinks is appropriate.
- (3) If an election is conducted under this section, a reference in this Act to "election day" or "polling day" or a specific day on which an election is to be held is to be read as a reference to the day fixed by the returning officer as the last day on which postal ballots may be validly received by him or her.
- (4) Subject to this section, the election is to be conducted in accordance with the regulations and the provisions of Schedules 2 and 3 that are not inconsistent with the regulations.'

(Mr Maclellan, Pakenham)

Question - That the clause 6 stand part of the Bill - put.

Committee divided.

(Chairman - Mr McGrath (*Warrnambool*))

AYES, 53

Mr Bildstien	Mr Jasper	Mr Pescott	Mr Steggall
Mr Brown	Mr Jenkins	Mrs Peulich	Mr Tanner
Mr Clark	Mr John	Mr Phillips	Mrs Tehan
Mr Coleman	Mr Kilgour	Mr Plowman	Mr Thompson
Mr Cooper	Mr Leigh	(<i>Benambra</i>)	(<i>Sandringham</i>)
Mr Davis	Mr Lupton	Mr Plowman	Mr Traynor
Dr Dean	Mr McArthur	(<i>Evelyn</i>)	Mr Treasure
Mr Doyle	Mrs McGill	Mr Reynolds	Mr Turner
Mr Elder	Mr McGrath	Mr Richardson	Mr Weideman
Mrs Elliott	(<i>Wimmera</i>)	Mr Rowe	Mr Wells
Mr Finn	Mr McNamara	Mr Ryan	
Mr Gude	Mr Maclellan	Mr Smith	<i>Tellers</i>
Mr Hayward	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	Mrs Henderson
Mr Heffernan	Mr Maughan	Mr Smith	Mr McLellan
Mr Honeywood	Mr Paterson	(<i>Polwarth</i>)	(<i>Frankston East</i>)
Mr Hyams	Mr Perton	Mr Spry	

NOES, 24

Mr Andrianopoulos	Mr Cole	Mr Mildenhall	Mr Thwaites
Mr Baker	Ms Garbutt	Mr Pandazopoulos	Mrs Wilson
Mr Batchelor	Mr Haermeyer	Mr Sandon	
Mr Bracks	Mr Leighton	Mr Seitz	<i>Tellers</i>
Mr Brumby	Mr Loney	Mr Sercombe	Mr Cunningham
Mr Carli	Ms Marple	Mr Thomson	Dr Vaughan
Dr Coghill	Mr Micallef	(<i>Pascoe Vale</i>)	

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 5

Tuesday, 23 May 1995

No. 1 LEGAL AID COMMISSION (AMENDMENT) BILL - Clause 6.

6. Substitution of Part II

For Part II of the Principal Act substitute-

'PART II-VICTORIA LEGAL AID

Proposed new sections 3 to 12J not printed

12K Community consultative committee

- (1) There shall be established a community consultative committee.
- (2) The function of the committee is to make recommendations to the board in relation to any matter referred to the committee by the board.

Proposed new sections 12K(3) to (5), 12L to 12N not printed

(Mrs Wade)

Amendment proposed - That in proposed new section 12K(2), omit "referred to the committee by the board" and insert "connected with the provision of legal aid".

(Mr Mildenhall)

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

Committee divided.

(Chairman - Mr McGrath (*Warrnambool*))

AYES, 59

Mr Ashley	Mr Jasper	Mr Paterson	Mr Steggall
Mr Bildstien	Mr Jenkins	Mr Perrin	Mr Stockdale
Mr Brown	Mr John	Mr Perton	Mr Tanner
Mr Clark	Mr Kennett	Mr Pescott	Mrs Tehan
Mr Coleman	Mr Kilgour	Mrs Peulich	Mr Thompson
Mr Cooper	Mr Leigh	Mr Phillips	(<i>Sandringham</i>)
Mr Davis	Mr Lupton	Mr Plowman	Mr Traynor
Dr Dean	Mr McArthur	(<i>Benambra</i>)	Mr Treasure
Mr Doyle	Mrs McGill	Mr Plowman	Mrs Wade
Mr Elder	Mr McGrath	(<i>Evelyn</i>)	Mr Weideman
Mrs Elliott	(<i>Wimmera</i>)	Mr Reynolds	Mr Wells
Mr Finn	Mr McLellan	Mr Richardson	
Mr Gude	(<i>Frankston East</i>)	Mr Rowe	
Mr Hayward	Mr McNamara	Mr Smith	
Mr Heffernan	Mr Maclellan	(<i>Glen Waverley</i>)	
Mrs Henderson	(<i>Pakenham</i>)	Mr Smith	<i>Tellers</i>
Mr Honeywood	Mr Maughan	(<i>Polwarth</i>)	Mr Ryan
Mr Hyams	Dr Napthine	Mr Spry	Mr Turner

NOES, 22

Mr Andrianopoulos	Mr Haermeyer	Mr Sandon	
Mr Baker	Mr Hamilton	Mr Seitz	
Mr Batchelor	Mr Leighton	Mr Thomson	
Mr Brumby	Mr Loney	(<i>Pascoe Vale</i>)	
Dr Coghill	Ms Marple	Mr Thwaites	<i>Tellers</i>
Mr Cunningham	Mr Micallef	Dr Vaughan	Mr Carli
Ms Garbutt	Mr Mildenhall	Mrs Wilson	Mr Pandazopoulos

And so it was resolved in the affirmative.

Wednesday, 24 May 1995

No. 2 CONSUMER CREDIT (VICTORIA) BILL - Clause 58.

58 *New part 5A inserted in Credit (Administration) Act 1984*

After Part 5 of the Credit (Administration) Act 1984 insert-

"PART 5A-CONSUMER CREDIT FUND

86AA. The Fund

- (1) There shall be established in the Public Account as part of the Trust Fund an account to be known as the Consumer Credit Fund.
- (2) there shall be paid into the Fund-
 - (a) amounts paid under section 86A of the **Credit Act 1984**;
 - (b) amounts required under section 38 of the **Consumer Credit (Victoria) Act 1995** to be paid into the Fund;
 - (c) money that a credit provider has agreed or undertaken to pay to a fund with objects similar to those of the Fund;
 - (d) money appropriated by the Parliament for the purposes of the Fund;
 - (e) interest received on the investment of money in the Fund.
- (3) There shall be paid out of the Fund such amounts as the Minister determines from time to time in accordance with this Part.
- (4) The Treasurer may invest money in the Fund in such manner as the Treasurer determines.

Proposed new sections 86AB and 88AC not printed

(Mrs Wade)

Amendment proposed - That in proposed new clause 86AA(3) omit "Minister" and insert "Advisory Committee established under section 86AC".

(Mr Mildenhall)

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

Committee divided.

(Chairman - Mr Richardson)

AYES, 57

Mr Ashley	Mr Hyams	Mr Perrin	Mr Steggall
Mr Bildstien	Mr Jasper	Mr Perton	Mr Stockdale
Mr Brown	Mr Jenkins	Mr Pescott	Mr Tanner
Mr Clark	Mr John	Mrs Peulich	Mrs Tehan
Mr Coleman	Mr Kilgour	Mr Phillips	Mr Thompson
Mr Cooper	Mr Leigh	Mr Plowman	(Sandringham)
Mr Davis	Mr Lupton	(Benambra)	Mr Traynor
Dr Dean	Mr McArthur	Mr Plowman	Mr Treasure
Mr Doyle	Mrs McGill	(Evelyn)	Mr Turner
Mr Elder	Mr McGrath	Mr Reynolds	Mrs Wade
Mrs Elliott	(Wimmera)	Mr Rowe	Mr Weideman
Mr Finn	Mr McNamara	Mr Ryan	
Mr Gude	Mr Maclellan	Mr Smith	Tellers
Mr Hayward	(Pakenham)	(Glen Waverley)	Mr McLellan
Mr Heffernan	Mr Maughan	Mr Smith	(Frankston East)
Mrs Henderson	Dr Napthine	(Polwarth)	Mr Wells
Mr Honeywood	Mr Paterson	Mr Spry	

NOES, 25

Mr Andrianopoulos	Ms Garbutt	Mr Sandon	
Mr Baker	Mr Haermeyer	Mr Seitz	
Mr Batchelor	Mr Hamilton	Mr Sheehan	
Mr Bracks	Mr Leighton	Mr Thomson	
Mr Brumby	Mr Loney	(Pascoe Vale)	
Dr Coghill	Ms Marple	Mr Thwaites	Tellers
Mr Cunningham	Mr Micallef	Dr Vaughan	Mr Carli
Mr Dollis	Mr Mildenhall	Mrs Wilson	Mr Pandazopoulos

And so it was resolved in the affirmative.

Thursday, 25 May 1995

No. 3 EQUAL OPPORTUNITY BILL - Clause 129

129 Costs of special complaint proceedings

- (1) Subject to this section, the Supreme Court may order the payment of costs in any proceeding under section 128.
- (2) If the special complaint was required to be referred to the Court by a party that is the State, an agency of the State or a person funded in whole or part by the State, the Court, unless there are special circumstances and regardless of which party succeeds before the Court, must order that party to pay an amount fixed by the Court that reasonably reflects the additional costs incurred by the other

party as a result of the complaint having been heard and determined by the Supreme Court instead of the Tribunal.

- (3) Unless there are special circumstances, costs ordered under sub-section (1) must reflect—
- (a) the costs reasonably incurred by the person in whose favour the order for costs is made; and
 - (b) any other pecuniary loss incurred by the person because of the proceedings.

(Mrs Wade)

Amendment proposed - That the following new sub-clause be inserted after sub-clause (2).

“() Sub-section (2) is in addition to, and does not affect, the Supreme Court’s power, in a proceeding under section 128, to make any other order for costs in favour of a successful party.”.

(Mr Mildenhall)

Question - That the sub-clause to be inserted be so inserted - put.

Committee divided.

(Chairman - Mr Cooper)

AYES 49

Mr Ashley
Mr Bildstien
Mr Brown
Mr Clark
Mr Davis
Dr Dean
Mr Doyle
Mr Elder
Mr Gude
Mr Honeywood
Mr Hyams
Mr Jasper
Mr Jenkins
Mr John
Mr Kennett

Mr Kilgour
Mr Leigh
Mr Lupton
Mr McArthur
Mrs McGill
Mr McGrath
(Wimmera)
Mr McLellan
(Frankston East)
Mr Maclellan
(Pakenham)
Mr Maughan
Dr Napthine
Mr Paterson
Mr Pescott

Mr Phillips
Mr Plowman
(Benambra)
Mr Plowman
(Evelyn)
Mr Reynolds
Mr Richardson
Mr Rowe
Mr Ryan
Mr Smith
(Glen Waverley)
Mr Spry
Mr Steggall
Mr Stockdale
Mr Tanner

Mrs Tehan
Mr Thompson
(Sandringham)
Mr Traynor
Mr Treasure
Mr Turner
Mrs Wade
Mr Weideman
Mr Wells

Tellers
Mrs Elliott
Mrs Henderson

NOES, 25

Mr Andrianopoulos	Mr Haermeyer	Mr Sandon	
Mr Baker	Mr Hamilton	Mr Seitz	
Mr Batchelor	Mr Leighton	Mr Sercombe	
Mr Bracks	Mr Loney	Mr Sheehan	
Mr Brunby	Ms Marple	Mr Thomson	
Dr Coghill	Mr Micallef	(Pascoe Vale)	<i>Tellers</i>
Mr Dollis	Mr Mildenhall	Mr Thwaites	Mr Carli
Ms Garbutt	Mr Pandazopoulos	Dr Vaughan	Mr Cunningham

And so it was resolved in the affirmative.

LEGISLATIVE ASSEMBLY OF VICTORIA
DIVISIONS IN COMMITTEE OF THE WHOLE

No. 6

Tuesday, 30 May 1995

No. 1 ELECTRICITY INDUSTRY (AMENDMENT) BILL - Clause 1

1. Purpose

The purpose of this Act is to amend the Electricity Industry Act 1993, the Mineral Resources Development Act 1990, the Office of the Regulator-General Act 1994, the State Electricity Commission Act 1958, the State Owned Enterprises Act 1992 and the Water Act 1989 and to consequentially amend certain other Acts.

(Mr Plowman, Evelyn)

Motion made and question - That the Chairman do report progress and ask for leave to sit again
(Mr Plowman, Evelyn) - put.

Committee divided.

(Chairman - Mr McGrath (Warrnambool))

AYES, 57

Mr Ashley	Mr Jasper	Mr Perton	Mr Tanner
Mr Bildstien	Mr Jenkins	Mr Pescott	Mrs Tehan
Mr Brown	Mr John	Mr Phillips	Mr Thompson
Mr Clark	Mr Kennett	Mr Plowman	<i>(Sandringham)</i>
Mr Coleman	Mr Kilgour	<i>(Benambra)</i>	Mr Traynor
Mr Cooper	Mr Leigh	Mr Plowman	Mr Treasure
Mr Davis	Mr Lupton	<i>(Evelyn)</i>	Mr Turner
Dr Dean	Mr McArthur	Mr Reynolds	Mrs Wade
Mr Doyle	Mr McGrath	Mr Richardson	Mr Weideman
Mr Elder	<i>(Wimmera)</i>	Mr Rowe	
Mrs Elliott	Mr McLellan	Mr Ryan	
Mr Finn	<i>(Frankston East)</i>	Mr Smith	
Mr Gude	Mr McNamara	<i>(Glen Waverley)</i>	
Mr Hayward	Mr Maclellan	Mr Smith	
Mr Heffernan	<i>(Pakenham)</i>	<i>(Polwarth)</i>	
Mrs Henderson	Mr Maughan	Mr Spry	<i>Tellers</i>
Mr Honeywood	Dr Napthine	Mr Steggall	Mr Paterson
Mr Hyams	Mr Perrin	Mr Stockdale	Mr Wells

NOES, 19

Mr Andrianopoulos	Mr Haermeyer	Mr Mildenhall	
Mr Baker	Mr Hamilton	Mr Seitz	
Mr Bracks	Mr Leighton	Mr Thomson	
Dr Coghill	Mr Loney	(Pascoe Vale)	Tellers
Mr Cunningham	Ms Marple	Dr Vaughan	Mr Carli
Ms Garbutt	Mr Micallef	Mrs Wilson	Mr Pandazopoulos

And so it was resolved in the affirmative.

Wednesday, 31 May 1995

No. 2 WATER (AMENDMENT) BILL - Clause 22.

22. *Insertion of new sections 224A and 224B*

After section 224 of the Principal Act insert-

Proposed new section 224A not printed

224B. Guidelines as to interstate transfers

- (1) The Minister may determine guidelines as to -
 - (a) whether transfers under section 224A should take place; and
 - (b) if transfers under section 224A are to take place, the terms and conditions on which they are to be approved by an Authority.
- (2) Any guidelines determined by the Minister may be determined so as to apply-
 - (a) generally or in specified cases or in a specified class of case or specified classes of cases; and
 - (b) at all times or at a specified time or specified times.
- (3) The Minister must serve a copy of all guidelines on every Authority that has a prescribed irrigation district.
- (4) The Minister may at any time amend any guidelines and must serve a copy of every amendment on every such Authority.
- (5) An Authority that has a prescribed irrigation district must comply with any guidelines determined by the Minister under this section, as amended from time to time."

(Mr Coleman)

Amendment proposed - That following sub-clause (5) there be inserted the following -

- “(6) In determining guidelines under this section, the Minister must consult with the Victorian Farmers Federation and with any other body that an Authority that has a prescribed irrigation district requests the Minister to consult.”.

(Ms Marple)

Question - That the sub-clause proposed to be inserted be so inserted - put.

Committee divided.

(Chairman - Mr McGrath (Warrnambool))

AYES, 24

Mr Andrianopoulos	Ms Garbutt	Mr Mildenhall	Mr Thwaites
Mr Baker	Mr Haermeyer	Mr Sandon	Mrs Wilson
Mr Bracks	Mr Hamilton	Mr Seitz	
Mr Brumby	Mr Leighton	Mr Sercombe	
Dr Coghill	Mr Loney	Mr Sheehan	<i>Tellers</i>
Mr Cunningham	Ms Marple	Mr Thomson	Mr Carli
Mr Dollis	Mr Micallef	(<i>Pascoe Vale</i>)	Mr Pandazopoulos

NOES, 58

Mr Bildstien	Mr Jenkins	Mr Perton	Mr Tanner
Mr Brown	Mr John	Mr Pescott	Mrs Tehan
Mr Clark	Mr Kilgour	Mrs Peulich	Mr Thompson
Mr Coleman	Mr Leigh	Mr Phillips	(<i>Sandringham</i>)
Mr Cooper	Mr Lupton	Mr Plowman	Mr Traynor
Mr Davis	Mr McArthur	(<i>Benambra</i>)	Mr Treasure
Dr Dean	Mrs McGill	Mr Plowman	Mr Turner
Mr Doyle	Mr McGrath	(<i>Evelyn</i>)	Mrs Wade
Mr Elder	(<i>Wimmera</i>)	Mr Reynolds	Mr Weideman
Mrs Elliott	Mr McLellan	Mr Richardson	Mr Wells
Mr Finn	(<i>Frankston East</i>)	Mr Rowe	
Mr Gude	Mr McNamara	Mr Ryan	
Mr Hayward	Mr Maclellan	Mr Smith	
Mr Heffernan	(<i>Pakenham</i>)	(<i>Glen Waverley</i>)	
Mrs Henderson	Mr Maughan	Mr Smith	
Mr Honeywood	Dr Napthine	(<i>Polwarth</i>)	<i>Tellers</i>
Mr Hyams	Mr Paterson	Mr Steggall	Mr Ashley
Mr Jasper	Mr Perrin	Mr Stockdale	Mr Spry

And so it passed in the negative.



PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA

TO RECOMMEND MEMBERS FOR APPOINTMENT TO THE COUNCILS OF
LA TROBE UNIVERSITY, VICTORIA UNIVERSITY OF TECHNOLOGY
AND UNIVERSITY OF BALLARAT

12 APRIL 1995

Held in accordance with the provisions of Section 7(1)(a) of the La Trobe University Act 1964 (No. 7189); Section 7(2)(j) of the Victoria University of Technology Act 1990 (No. 21/1990); Section 37 of the Universities Act (Amendment) Act 1994 (No. 105/1994) and Section 7(1)(g) of the University of Ballarat Act 1993 (107/1993);

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Wednesday, 12 APRIL 1995

**LA TROBE UNIVERSITY COUNCIL;
VICTORIA UNIVERSITY OF TECHNOLOGY COUNCIL; AND
UNIVERSITY OF BALLARAT COUNCIL**

The Members of the Legislative Council and the Members of the Legislative Assembly having assembled in the Legislative Assembly Chamber pursuant to resolutions of the two Houses -

- 1 **ELECTION OF PRESIDENT** - The Honourable J.G. Kennett, M.P., Premier, moved - That the Honourable John Edward Delzoppo, M.P., Speaker of the Legislative Assembly be appointed President of this Joint Sitting, which motion having been seconded by Mr J.M. Brumby, M.P., was resolved in the affirmative.

The Honourable J.E. Delzoppo, M.P., having expressed his acknowledgment of the honour conferred upon him by the Joint Sitting, then took the Chair.

- 2 **RULES OF PROCEDURE** - The President announced that section 7(1)(a) of the *La Trobe University Act 1964*, section 7(2)(j) of the *Victoria University of Technology Act 1990* and section 7(1)(g) of the *University of Ballarat Act 1993* provide that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable J.G. Kennett, M.P., submitted the following rules of procedure for the consideration of Honourable Members, and moved - That these rules be the rules of procedure for this Joint Sitting:

1. On any debate arising the same shall be conducted according to Parliamentary usage.

-
2. A Member, addressing the President, shall propose a Member or Members to be recommended for appointment and any such proposal shall be duly seconded. When each Member is so proposed, the proposer shall state that such Member is willing to be so recommended for appointment, if chosen.
 3. If no more than the required number of Members are proposed and seconded, the President shall declare such Members as having been chosen to be recommended for appointment.
 4. If more than the required number of Members are proposed and seconded in respect of the vacancies the Members to be recommended for appointment shall be chosen by ballot in the manner prescribed by rules 5 to 8, inclusive.
 5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerk of each House. Each Member shall write on such ballot paper the names of the Members that the Member voting wishes to be recommended for appointment; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.
 6. The President shall appoint three Members to be scrutineers, who, with one of the Clerks, shall ascertain the number of votes for each Member. The Member reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of more than one vacancy, the required number of Members reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots, shall determine which of such Members has been duly chosen to be recommended for appointment.
 7. No informal vote shall be taken into account.
 8. The President shall be entitled to a vote.
 9. As soon as a ballot has been concluded the President shall declare -

"That has/have been chosen to be recommended for appointment to the Council of".
 10. The President shall advise the responsible Minister of the Members chosen to be recommended for appointment to the various governing bodies.

11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

Mr. J.M. Brumby, M.P., seconded the motion.

Question - put and resolved in the affirmative.

- 3 **LA TROBE UNIVERSITY** - The President announced that he was now prepared to receive proposals from Honourable Members with regard to the Members to be recommended for appointment to the Council of the La Trobe University.

The Honourable J.G. Kennett, M.P., proposed that the Honourable Ronald Alexander Best, M.L.C. and the Honourable Theo Charles Theophanous, M.L.C., be recommended for appointment as members of the Council of the La Trobe University consequent on the expiration of the terms of office on 18 December 1994, and the Honourable Dr. Ronald James Herbert Wells, M.L.C., be recommended for appointment as a member of the Council of the La Trobe University consequent on the expiration of the term of office on 7 May 1995, and stated that they were willing to accept the appointment if chosen; which proposal was seconded by Mr. J.M. Brumby, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Ronald Alexander Best, M.L.C. and the Honourable Theo Charles Theophanous, M.L.C., had been recommended for appointment as members of the Council of the La Trobe University consequent on the expiration of the terms of office on 18 December 1994, and the Honourable Dr. Ronald James Herbert Wells, M.L.C., had been recommended for appointment as a member of the Council of the La Trobe University consequent on the expiration of the term of office on 7 May 1995.

- 4 **VICTORIA UNIVERSITY OF TECHNOLOGY** - The President announced that he was now prepared to receive proposals from Honourable Members with regard to the Members to be recommended for appointment to the Council of Victoria University of Technology.

The Honourable J.G. Kennett, M.P., proposed that Mr. George Ian Davis, M.P., the Honourable David Mylor Evans, M.L.C., and the Honourable Licia Kokocinski, M.L.C., be recommended for appointment as members of the Council of the Victoria University of Technology, and stated that they were willing to accept the appointment if chosen; which proposal was seconded by Mr. J.M. Brumby, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Mr. George Ian Davis, M.P., the Honourable David Mylor Evans, M.L.C., and the Honourable Licia Kokocinski,

M.L.C., had been chosen to be recommended for appointment as members of the Council of the Victoria University of Technology.

- 5 **UNIVERSITY OF BALLARAT COUNCIL** - The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be recommended for appointment to the Council of the University of Ballarat.

The Honourable J.G. Kennett, M.P., proposed that Mr. Stephen Phillip Bracks, M.P., be recommended for appointment as a member of the Council of the University of Ballarat, and stated that he was willing to accept the appointment if chosen; which proposal was seconded by Mr. J.M. Brumby, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Mr. Stephen Phillip Bracks, M.P., had been chosen to be recommended for appointment as a member of the Council of the University of Ballarat.

The President declared the Joint Sitting closed.

A.V. BRAY
Clerk of the Legislative Council

J.G. LITTLE
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 PLACE IN THE SENATE
RENDERED VACANT BY THE DEATH OF SENATOR ALICE OLIVE ZAKHAROV**

3 May 1995

Held in accordance with the provisions of section 15 of the Commonwealth of Australia Constitution Act

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

WEDNESDAY, 3 MAY 1995

**TO CHOOSE A PERSON TO HOLD THE PLACE IN THE SENATE
RENDERED VACANT BY THE DEATH OF SENATOR ALICE OLIVE ZAKHAROV**

*The Members of the Legislative Council and the Members of the Legislative
Assembly having assembled in the Legislative Assembly Chamber pursuant to
resolutions of the two Houses -*

- 1 **ELECTION OF PRESIDENT** - The Honourable Jeffrey Gibb Kennett, M.P., Premier, moved - That the Honourable Bruce Anthony Chamberlain, M.L.C., President of the Legislative Council, be appointed President of this Joint Sitting, which motion having been seconded by the Honourable John Mansfield Brumby, M.P., the Leader of the Opposition, was resolved in the affirmative.

The Honourable Bruce Anthony Chamberlain, M.L.C., having expressed his acknowledgement of the honour conferred upon him by the Joint Sitting, then took the Chair.

- 2 **RULES OF PROCEDURE** - The Honourable Jeffrey Gibb Kennett, M.P., submitted the following rules of procedure for the consideration of Honourable Members, and moved - That these rules be the rules of procedure for the Joint Sitting to fill the Senate vacancy:

1. On any debate arising the same shall be conducted according to Parliamentary usage.

2. A Member, addressing himself to the President, shall propose a person to hold the vacant place in the Senate and any such proposal shall be duly seconded. When a person is so proposed, the proposer shall state that such person is - (a) willing to hold the vacant place, if chosen; and (b) a member of the same political party as

that subscribed to by the Senator last elected by the people in whose place the vacancy has occurred.

3. If only one person be proposed and seconded, the President shall declare "Thathas been chosen to hold the place in the Senate rendered vacant by the death of Senator Alice Olive Zakharov ".

4. If more than one person be proposed and seconded the person to hold the vacant place shall be chosen by ballot in the following manner.

5. In the ballot for the vacancy, the President shall announce the names of the persons proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name of the person desired to be chosen; and if any ballot paper contains more than one name, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in the ballot box provided for the purpose.

6. The President shall ask the proposer of each nominated person to name some Member present to be a scrutineer. The scrutineers, with the Clerks of the two Houses, shall retire and ascertain the number of votes for each person; and the scrutineers shall make a written report of the result to the President showing the number of votes for each person.

7. No informal vote shall be taken into account.

8. The President shall be entitled to vote.

9. If on the first ballot no person shall have received an absolute majority of the votes polled, a second ballot shall be taken, and the name of the person who shall have received the fewest votes at the first ballot shall be excluded; but if at the first ballot the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall by drawing lots determine which of such persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.

10. Until one of the persons proposed obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, successive ballots shall be taken, and at each such ballot the name of the person who shall have received the fewest votes at the preceding ballot shall be excluded.

11. If on any ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, a special ballot shall be taken at which the names of only those persons shall be submitted, and the name of the person having the fewest votes at such special ballot shall be excluded; but if on any special ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, the scrutineers by drawing lots shall determine which one of such persons shall be excluded, and the name of the person last drawn shall be excluded.

12. If at any ballot, other than the first ballot or a special ballot hereinbefore provided for, the names of only two persons be submitted and the number of votes for

such persons be equal, the scrutineers shall, by drawing lots, determine which of those persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.

13. As soon as any person obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, the President shall declare-

".....has been chosen to hold the place in the Senate rendered vacant by the death of Senator Alice Olive Zakharov ".

14. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

The Honourable John Mansfield Brumby, M.P., seconded the motion.

Question - put and resolved in the affirmative.

- 3 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT PLACE IN THE SENATE** - The President announced that, the rules having been adopted, he was now prepared to receive proposals from Honourable Members of persons to hold the place in the senate rendered vacant by the death of Senator Alice Olive Zakharov.

The Honourable Jeffrey Gibb Kennett, M.P., proposed Ms Jacinta Mary Ann Collins as the person to hold the vacant place. He also stated that such person was willing to hold the vacant place, if chosen and that he was in possession of advice from the Leader of the Opposition that the nominee was the selection of the Australian Labor Party, the party previously represented in the Senate by Senator Alice Olive Zakharov; which proposal was seconded by the Honourable John Mansfield Brumby, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Ms Jacinta Mary Ann Collins, had been chosen to hold the place rendered vacant by the death of Senator Alice Olive Zakharov.

The President declared the Joint Sitting closed.

A.V. BRAY
Clerk of the Legislative Council

J.G. LITTLE
Clerk of the Legislative Assembly



PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA

TO RECOMMEND MEMBERS FOR APPOINTMENT TO THE COUNCILS OF
ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY, DEAKIN UNIVERSITY
AND SWINBURNE UNIVERSITY OF TECHNOLOGY

31 MAY 1995

Held in accordance with the provisions of Section 7(2)(h) of the Royal Melbourne Institute of Technology Act 1992 (No. 45/1992); Section 7(1)(d) of the Deakin University Act 1974 (No. 8610) and Section 7(2)(g) of the Swinburne University of Technology Act 1992 (44/1992);

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Wednesday, 31 MAY 1995

**ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY COUNCIL;
DEAKIN UNIVERSITY COUNCIL; AND
SWINBURNE UNIVERSITY OF TECHNOLOGY COUNCIL**

The Members of the Legislative Council and the Members of the Legislative Assembly having assembled in the Legislative Assembly Chamber pursuant to resolutions of the two Houses -

- 1 ELECTION OF PRESIDENT** - The Honourable J.G. Kennett, M.P., Premier, moved - That the Honourable John Edward Delzoppo, M.P., Speaker of the Legislative Assembly be appointed President of this Joint Sitting, which motion having been seconded by Mr J.M. Brumby, M.P., was resolved in the affirmative.

The Honourable J.E. Delzoppo, M.P., having expressed his acknowledgment of the honour conferred upon him by the Joint Sitting, then took the Chair.

- 2 RULES OF PROCEDURE** - The President announced that section 7(1)(a) of the *La Trobe University Act 1964*, section 7(2)(j) of the *Victoria University of Technology Act 1990* and section 7(1)(g) of the *University of Ballarat Act 1993* provide that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable J.G. Kennett, M.P., submitted the following rules of procedure for the consideration of Honourable Members, and moved - That these rules be the rules of procedure for this Joint Sitting:
1. On any debate arising the same shall be conducted according to Parliamentary usage.
 2. A Member, addressing the President, shall propose a Member or Members to be recommended for appointment and any such proposal shall be duly

- seconded. When each Member is so proposed, the proposer shall state that such Member is willing to be so recommended for appointment, if chosen.
3. If no more than the required number of Members are proposed and seconded, the President shall declare such Members as having been chosen to be recommended for appointment.
 4. If more than the required number of Members are proposed and seconded in respect of the vacancies the Members to be recommended for appointment shall be chosen by ballot in the manner prescribed by rules 5 to 8, inclusive.
 5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerk of each House. Each Member shall write on such ballot paper the names of the Members that the Member voting wishes to be recommended for appointment; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.
 6. The President shall appoint three Members to be scrutineers, who, with one of the Clerks, shall ascertain the number of votes for each Member. The Member reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of more than one vacancy, the required number of Members reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots, shall determine which of such Members has been duly chosen to be recommended for appointment.
 7. No informal vote shall be taken into account.
 8. The President shall be entitled to a vote.
 9. As soon as a ballot has been concluded the President shall declare -

"That has/have been chosen to be recommended for appointment to the Council of".
 10. The President shall advise the responsible Minister of the Members chosen to be recommended for appointment to the various governing bodies.
 11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

Mr. J.M. Brumby, M.P., seconded the motion.

Question - put and resolved in the affirmative.

- 3 **LA TROBE UNIVERSITY** - The President announced that he was now prepared to receive proposals from Honourable Members with regard to the Members to be recommended for appointment to the Council of the La Trobe University.

The Honourable J.G. Kennett, M.P., proposed that the Honourable Ronald Alexander Best, M.L.C. and the Honourable Theo Charles Theophanous, M.L.C., be recommended for appointment as members of the Council of the La Trobe University consequent on the expiration of the terms of office on 18 December 1994, and the Honourable Dr. Ronald James Herbert Wells, M.L.C., be recommended for appointment as a member of the Council of the La Trobe University consequent on the expiration of the term of office on 7 May 1995, and stated that they were willing to accept the appointment if chosen; which proposal was seconded by Mr. J.M. Brumby, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Ronald Alexander Best, M.L.C. and the Honourable Theo Charles Theophanous, M.L.C., had been recommended for appointment as members of the Council of the La Trobe University consequent on the expiration of the terms of office on 18 December 1994, and the Honourable Dr. Ronald James Herbert Wells, M.L.C., had been recommended for appointment as a member of the Council of the La Trobe University consequent on the expiration of the term of office on 7 May 1995.

- 4 **VICTORIA UNIVERSITY OF TECHNOLOGY** - The President announced that he was now prepared to receive proposals from Honourable Members with regard to the Members to be recommended for appointment to the Council of Victoria University of Technology.

The Honourable J.G. Kennett, M.P., proposed that Mr. George Ian Davis, M.P., the Honourable David Mylor Evans, M.L.C., and the Honourable Licia Kokocinski, M.L.C., be recommended for appointment as members of the Council of the Victoria University of Technology, and stated that they were willing to accept the appointment if chosen; which proposal was seconded by Mr. J.M. Brumby, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Mr. George Ian Davis, M.P., the Honourable David Mylor Evans, M.L.C., and the Honourable Licia Kokocinski, M.L.C., had been chosen to be recommended for appointment as members of the Council of the Victoria University of Technology.

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- 5 **UNIVERSITY OF BALLARAT COUNCIL** - The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be recommended for appointment to the Council of the University of Ballarat.

The Honourable J.G. Kennett, M.P., proposed that Mr. Stephen Phillip Bracks, M.P., be recommended for appointment as a member of the Council of the University of Ballarat, and stated that he was willing to accept the appointment if chosen; which proposal was seconded by Mr. J.M. Brumby, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Mr. Stephen Phillip Bracks, M.P., had been chosen to be recommended for appointment as a member of the Council of the University of Ballarat.

The President declared the Joint Sitting closed.

A.V. BRAY
Clerk of the Legislative Council

J.G. LITTLE
Clerk of the Legislative Assembly



PARLIAMENT OF VICTORIA

**MINUTES OF THE PROCEEDINGS
OF THE
JOINT SITTING
OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

**TO RECOMMEND MEMBERS OF THE PARLIAMENT FOR APPOINTMENT TO
THE COUNCIL OF MONASH UNIVERSITY AND THE COUNCIL OF THE ROYAL
MELBOURNE INSTITUTE OF TECHNOLOGY**

21 NOVEMBER 1995

Held in accordance with the provisions of Section 7(1)(a)(i) of the Monash University Act 1958 (No. 107), Section 7 of the Royal Melbourne Institute of Technology Act 1992 (No. 45/1992) and Section 25 of the University Acts (Amendment) Act 1994 (No. 21)

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

TUESDAY, 21 NOVEMBER 1995

**THE COUNCIL OF MONASH UNIVERSITY AND THE COUNCIL OF THE
ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY**

*The Members of the Legislative Council and the Members of the Legislative
Assembly having assembled in the Legislative Assembly Chamber pursuant to
resolutions of the two Houses -*

- 1 **ELECTION OF PRESIDENT** - The Honourable J.G. Kennett, M.P. moved - That the Honourable Bruce Anthony Chamberlain, M.L.C., President of the Legislative Council be appointed President of this Joint Sitting which motion having been seconded by the Honourable C.J Hogg, M.L.C., was resolved in the affirmative.

The Honourable Bruce Anthony Chamberlain, M.L.C., having expressed his acknowledgement of the honour conferred upon him by the Joint Sitting, then took the Chair.

- 2 **RULES OF PROCEDURE** - The President announced that section 7(1)(a)(i) of the *Monash University Act 1958*, section 7 of the *Royal Melbourne Institute of Technology Act 1992* and section 25 of the *University Acts (Amendment) Act 1994* provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable J.G. Kennett, M.P. submitted the following rules of procedure for the consideration of Honourable Members, and moved - That these rules be the rules of procedure for this Joint Sitting:

1. On any debate arising the same shall be conducted according to Parliamentary usage.

2. A Member, addressing the President, shall propose a Member or Members to be recommended for appointment and any such proposal shall be duly seconded. When each Member is so proposed, the proposer shall state that such Member is willing to be so recommended for appointment, if chosen.

3. If no more than the required number of Members are proposed and seconded, the President shall declare such Members as having been chosen to be recommended for appointment.
4. If more than the required number of Members are proposed and seconded in respect of the vacancies the Members to be recommended for appointment shall be chosen by ballot in the manner prescribed by rules 5 to 8, inclusive.
5. In the ballot for the vacancies, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerk of each House. Each Member shall write on such ballot paper the names of the Members that the Member voting wishes to be recommended for appointment; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked the ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.
6. The President shall appoint three Members to be scrutineers, who, with one of the Clerks, shall ascertain the number of votes for each Member. The Member reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of more than one vacancy, the required number of Members reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots, shall determine which of such Members has been duly chosen to be recommended for appointment.
7. No informal vote shall be taken into account.
8. The President shall be entitled to a vote.
9. As soon as a ballot has been concluded the President shall declare -

"That has/have been chosen to be recommended for appointment to the Council of.....".
10. The President shall advise the responsible Minister of the Members chosen to be recommended for appointment to the various governing bodies.
11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

The Honourable C.J Hogg, M.L.C., seconded the motion.

Question - put and resolved in the affirmative.

- 3 **COUNCIL OF MONASH UNIVERSITY** - The President announced that he was now prepared to receive proposals from Honourable Members with regard to the Members to be recommended for appointment to the Council of Monash University.

The Honourable J.G. Kennett, M.P., proposed that the Honourable James Vincent Chester Guest, M.L.C.; the Honourable Peter Ronald Hall, M.L.C.; and Gerard Marshall Vaughan, M.P., be recommended for appointment to the Council, and stated that they were willing to be recommended, if chosen; which proposal was seconded by The Honourable C.J Hogg, M.L.C..

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that Honourable James Vincent Chester Guest, M.L.C.; the Honourable Peter Ronald Hall, M.L.C.; and Gerard Marshall Vaughan, M.P., had been chosen to be recommended for appointment to the Council of Monash University.

- 4 COUNCIL OF THE ROYAL MELBOURNE INSTITUTE OF TECHNOLOGY**
- The President announced that he was now prepared to receive proposals from Honourable Members with regard to the Members to be recommended for appointment to the Council of the Royal Melbourne Institute of Technology.

The Honourable J.G. Kennett, M.P., proposed that the Honourable Gerald Barry Ashman, M.L.C.; the Honourable David Mylor Evans, M.L.C.; and Ms Sherryl Maree Garbutt, M.P., be recommended for appointment to the Council, and stated that they were willing to be recommended, if chosen; which proposal was seconded by The Honourable C.J Hogg, M.L.C..

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that the Honourable Gerald Barry Ashman, M.L.C.; the Honourable David Mylor Evans, M.L.C.; and Ms Sherryl Maree Garbutt, M.P., had been chosen to be recommended for appointment to the Council of Royal Melbourne Institute of Technology.

The President declared the Joint Sitting closed.

A.V. BRAY
Clerk of the Legislative Council

PHILIP J. MITHEN
Clerk of the Legislative Assembly

